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PAPERS

RELATING TO

FOREIGN AFFAIRS,

ACCOMPANYING THE

ANNUAL MESSAGE OF THE PRESIDENT

TO THE

FIRST SESSION THIRTY-NINTH CONGRESS.

1865

PART II.

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CORRESPONDENCE.

CORRESPONDENCE WITH BRITISH LEGATION.

Lord Lyons to Mr. Seward.

WASHINGTON, *December* 5, 1864.

SIR: Being on the point of quitting Washington on leave of absence, in order to recruit my health, I beg to recommend to you Joseph Hume Burnley, esquire, whom I have already had the honor to present to you as her Majesty's chargé d'affaires.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

LYONS.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Lord Lyons to Mr. Seward.

WASHINGTON, *December* 5, 1864.

SIR: With reference to my note to you of the 23d ultimo, relative to the alleged schemes of so-called confederate agents in Canada against the United States, I have now the honor to transmit to you a copy of a despatch from the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant.

For Lord LYONS.
J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD. *&c., &c., &c.*

Viscount Monck to Lord Lyons.

QUEBEC, *November* 30, 1864.

MY LORD: I have the honor to acknowledge the receipt of your lordship's despatch of November 23, and its enclosures, relative to the alleged schemes of so-called confederates in Canada against the United States, and, in reply, I beg to assure your lordship that the matter shall receive the earnest attention of the government of Canada.

I have, &c.

MONCK.

LORD LYONS, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 6, 1864.

With reference to my note of the 20th of October, and your reply of the 1st ultimo, and to my further note of the 26th ultimo, relative to the case of the Night Hawk, I have now the honor to enclose the register of this vessel, and other papers duly legalized by the United States consul at Liverpool, for the purpose of setting at rest the question of nationality, as raised by your note of the 1st ultimo.

In these papers you will see it distinctly stated that the Night Hawk was a British paddle-steamship, registered in the shipping register at Liverpool, and owned by Edward Lawrence, who appointed Captain Smiley, a British subject, in command of the ship.

I hope that the Secretary of the Navy will take these documents into serious consideration, with a view of modifying his assertion with regard to belligerents and neutrals, and look upon the ship as a vessel belonging to a neutral power, and the crew, a list of whom I had the honor to forward in my note of the 20th of October, as neutral subjects of that power.

I beg you to return me the original documents as soon as note has been taken of their contents.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

[Enclosure.]

I, the undersigned, consul of the United States of America for the port of Liverpool and its dependencies, do certify and make known to whom these presents shall come, that Edward Lawrence, esq., mayor of Liverpool, having addressed a letter to me requesting my, certificate to the annexed declaration, with copy of register of steamer Night Hawk annexed and declaring that he is the sole registered owner of said vessel Night Hawk, and that the sole object for which my certificate is asked is to send it, with the declaration and copy of register, to his agent at New York, to be by him presented to the British consul, or the authorities there, to show that the Night Hawk is an English vessel, and that her late captain is a British subject, and not for the purpose of being used to protect the vessel from United States cruisers, or to sanction her running the blockade, or for any other purpose than that above specified; I do, in compliance with such request, grant him my certificate, and do certify that W. Henry Fletcher, before whom the annexed declaration of Edward Lawrence has been made, and whose true signature and notarial seal are subscribed and affixed, is a notary public, duly authorized, admitted, and sworn, residing and practicing in Liverpool, duly authorized to receive such declaration.

Given under my hand and seal of office, at Liverpool, on the 17th day of November, and year one thousand eight hundred and sixty-four.

[SEAL.]

THOMAS H. DUDLEY.

On this the 16th day of November, in the year of our Lord 1864, before me, William Henry Fletcher, notary public by royal authority, duly admitted, sworn, and enrolled, dwelling and practicing in Liverpool, in the county of Lancaster, in England, personally and voluntarily came and appeared Edward Lawrence, of Liverpool aforesaid, merchant, and did solemnly and sincerely say and declare as follows: That he then was a natural-born subject of her Majesty the Queen of Great Britain, and the owner of the paddle-steamship Night Hawk, of Liverpool, which ship was registered in his own name in the register of shipping at the custom-house at Liverpool, and that the document hereto annexed, signed by the registrar of the said port, and sealed with the seal of her Majesty's customs, was an official and true copy of such register; and he did further say and declare that, at the time when the said steamship last sailed from the port of Liverpool, in the month of August last, she was in charge of Captain N. Smiley, a British subject, who was duly appointed by him the master thereof.

EDWARD LAWRENCE.

In faith and testimony whereof, I, the said notary, have caused the said copy register to be hereunto annexed, and the said appearer to subscribe his name to these presents, and I have also hereunto subscribed my name and affixed my seal notarial this 16th day of November aforesaid.

[SEAL.]

W. HENRY FLETCHER, *Notary Public.*

Form No. 19.—Copy register.

Official number of ship, 50,296. Name of ship, Night Hawk. Port number, 353. Port of registry, Liverpool. British or foreign, British built.

Whether a sailing or steamship; if steam, how propelled? Steamer, paddle. Where built? Preston, in the county of Lancaster. When built? In 1864.

Number of decks, one; number of masts, two; rigged, schooner; stern, square; build, clench; gallery, none; head, none; framework, iron.

Tonnage.

	No. of tons.
Tonnage under tonnage deck	536.51
Break	23.56
Round-house	.....
	560.07
Deduct allowance for propelling power	199.96
Register tonnage	360.11

Measurements.—Length, from the forepart of the stem, under the bowsprit, to the aft-side of the head of the stern-post, 245 feet — tenths. Main breadth to outside of plank, 26 feet 8 tenths. Depth of hold, from tonnage deck to ceiling at midships, 12 feet 2 tenths.

Additional particulars for steamer.

Deduction for space required for propelling power, 199.96 tons. Length of engine-room, if measured, 65 feet 3 tenths. Number of engines, two. Combined power, (estimated horse-power,) one hundred and eighty.

Names, residence, and description of the owners, and number of shares held by each owner.

Edward Lawrence, of Liverpool, in the county of Lancaster, merchant 64

CUSTOM HOUSE, *Liverpool, November* 15, 1864.

I hereby certify the foregoing to be a true copy of the particulars and ownership of the vessel Night Hawk, of the port of Liverpool.

W. G. STEWART, *Registrar.*

Registry dated August 24, 1864.

[Customs, November 15, 1864, Liverpool.]

N. B.—To be addressed in an envelope to the chief registrar of shipping, custom-house, London.

No. 219.—Copy of register for transmission to chief registrar of shipping.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 6, 1864.

SIR: I have the honor to acknowledge the receipt of Lord Lyons's note of the 5th instant, informing me of his intended departure from Washington, on leave of absence, to recruit his health, and recommending you to me as her Majesty's chargé d'affaires in the interim.

While profoundly regretting the cause which occasions his lordship's absence, I shall be happy to correspond with you upon matters which may require the attention of this department or that of her Majesty's legation.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

[Communicated by the British Legation.]

Earl Russell to Lord Lyons.

No. 9.] FOREIGN OFFICE, *December* 7, 1864.

MY LORD: The crime of trading in human beings has been for many years branded by the reprobation of all civilized nations. Still the atrocious traffic subists, and many persons flourish on the gains they have derived from that polluted source.

Her Majesty's government, contemplating, on the one hand, with satisfaction the unanimous abhorrence which the crime inspires, and, on the other hand, with pain and disgust the slave-trading speculations which still subist, have come to the conclusion that no measure would be so effectual to put a stop to these wicked acts as the punishment of all persons who can be proved to be guilty of carrying slaves across the sea. Her Majesty's government, therefore, invite the government of the United States to consider whether it would not be practicable, honorable, and humane—

1st. To make a general declaration, that the governments who are parties to it denounce the slave trade as piracy.

2d. That the aforesaid governments should propose to their legislatures to affix the penalties of piracy already existing in their laws—provided, only, that the penalty in this case be that of death—to all persons, being subjects or citizens of one of the contracting powers, who shall be convicted in a court which takes cognizance of piracy, of being concerned in carrying human beings across the sea for the purpose of sale, or for the purpose of serving as slaves, in any country or colony in the world.

I am, &c.,

RUSSELL.

LORD LYONS, *&c., &c., &c.*

[Communicated by the British Legation.]

Earl Russell to Lord Lyons.

FOREIGN OFFICE, *December* 8, 1864.

MY LORD: I transmit herewith, for your information, a copy of a despatch from her Majesty's consul at Teneriffe, stating the circumstances under which the steamship Sea King has come into the possession of officers of the Confederate States.

I have at the same time to acquaint you that her Majesty's government took immediate steps, on the arrival in England of the men referred to in Mr. Consul Grathan's despatch, who had formed part of the crew of the Sea King, to make an investigation into the circumstances of the case, and that under the advice of the law officers of the Crown her Majesty's government have given directions that Captain Corbett shall be prosecuted for violation of the foreign enlistment act.

I am, with great truth and regard, my lord, your lordship's most obedient, humble servant,

RUSSELL.

Right Hon. LORD LYONS, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 8, 1864.

SIR: Her Majesty's government have attentively considered the note which you did me the honor to forward to me on the 24th August, relative to the coal seized at Angra Pequeña, by the commander of the United States steamer Vanderbilt, and it becomes my duty to lay before you the views of my government on this subject.

It appears to her Majesty's government in the first place that there in no justification at present shown for the assumption, as stated in your above-mentioned note, that the coals in question were in fact deposited at the place from whence they were taken for the use of the navigators of the Alabama.

Her Majesty's government have (with very good reason) denied that any intention on the part of the British owners of those goods to sell them to the navigators of the Alabama would, if it were established, constitute a legal ground for the seizure of those goods, while remaining British property, by a United States

vessel at Angra Pequeña. You observe that by this denial the United States government is left to infer "that the claimants placed their coal on the island of Angra Pequeña for the use of the navigators of the Alabama."

Her Majesty's government consider that such an inference is in every sense gratuitous and unwarranted, and that if the thing inferred is that the deposit of this coal was in effect a delivery in pursuance of a contract with the navigators of the Alabama, this is not only not implied in, but is distinctly opposed to, the very hypothesis of fact on which her Majesty's government have expressed their views of the law, while neither knowing nor admitting for what purpose the coals in question were actually deposited.

It appears also to her Majesty's government a proposition directly at variance with the principles and practice of international law to maintain that the Alabama (however those who originally fitted her out may have been guilty of violating the municipal law of Great Britain) could, on that or on any other account, be treated or considered as a pirate, and they consider it necessary to remind the government of the United States that they cannot claim the rights of a belligerent from neutral states, and at the same time disregard their own obligations towards those states; that the United States government are not justified in seizing the merchant vessels of neutral states upon the high seas, on the ground of their intention to violate a blockade, without at the same time religiously respecting the property of neutrals in territories or in dominions over which they and the belligerents have no legitimate authority.

Her Majesty's government maintain, therefore—

1st. That there is no ground at present shown for asserting that the coal placed on Angra Pequeña was placed there by the neutral owners in pursuance of a contract with the enemies of the United States, so as to make it, when there, enemy's property.

2d. That if it was, when at Angra Pequeña, British property, it was not in that place subject to any belligerent right of the United States.

3d. That there is no ground for asserting that the Alabama making war on the ships and sailors of the United States was in any other position than General Lee and his army, as a belligerent engaged in war on the forts and armies of the United States.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,

Washington, December 8, 1864.

SIR: I have the honor to enclose a copy of a communication of the 5th instant from his honor the mayor of the city of Buffalo, in regard to the movements of the suspected steamer Georgian, or Georgiana, and to other proceedings hostile to the United States which are reported to be on foot in Canada.

I will thank you to call the attention of his excellency Viscount Monck to this information.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mayor Fargo to Mr. Seward

MAYOR'S OFFICE, *Buffalo, December* 5, 1864.

SIR: I have the honor to acknowledge the receipt of your favors, dated the 19th and 21st of November, respectively. I transmit herewith, for your information, a copy of a communication received by me from a gentleman in Toronto, who gave me the original information in regard to the propeller Georgia, and who is now employed by the city as a detective.

His statements are, in my judgment, entitled to credit. I have sent copies of this communication to Major General Dix, and also to the commander of the United States steamer Michigan.

I have the honor to be, very respectfully, your obedient servant,

WILLIAM G. FARGO, *Mayor.*

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Enclosure.]

TORONTO, *November* 30, 1864.

DEAR SIR: I have delayed writing you concerning the movements of certain parties here, thinking I could ascertain to a certainty what their determination was. I have in a measure succeeded. Bates would have made the attempt on the cutter Michigan had her wheel held good. It became loose again on his arrival in Port Stanley. He then went to Sarnia with her, and came himself to Toronto, and upon remonstration with the firm from whom he purchased her, they agreed to get him a new one. He (Bates) told me that he would yet make the attempt, if the weather held good. The report that the Georgian was going into the Saginaw lumber trade was a mere blind. Finding that you were aroused and prepared, he said that he would make a trip or two to the Sault Ste. Marie, in the place of the Algonia, which is disabled, and by that time things would be quiet. He is a determined old fellow, and as plausible as an old woman. His captain (Milne) knows the lakes well on both sides, and is, moreover, a rank secessionist in feeling. It behooves the people at Sandusky to keep a good lookout. Should the winter set in suddenly Bates will lay up the Georgian and come here, when I will get out of him what his intentions are.

There is a man who travels by the name of Smith, but whose real name is Grant—a Tennessee lawyer; he is frequently going from here to Hannibal, and *vice versa*. He brings information to Colonel Thompson, and takes information back, and connects at Hannibal with scouts, who go south. He always crosses at Sarnia, *via* Grand Trunk. He told me that it was safer to cross at Sarnia than at Windsor. If you want a description of him I can give it.

There is another who frequently crosses at the Suspension bridge and goes to New York. His name is Triggs. Whether he travels by that name or not I do not know, but there is no mistaking him. I was with him last night.

There is something on foot the precise nature of which I have not yet been able to determine, but will find out. There are four or five gangs of them determined to do or die this winter.

Our solicitor general, West, is up here trying to find out about this cannon manufactory. There is another leader of the confederates here by the name of Baker. We had a great influx of them last week, and after a day or two they separated again. Yesterday a lot of them returned a second time. I will find out what they are at. As soon as Bates get back, and I see him, I will sound him and let you know.

Yours, truly,

FIDES.

WILLIAM G. FARGO, Esq., *Mayor, &c., Buffalo, New York.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 9, 1864.

SIR: With reference to your note of the 8th July, and to previous correspondence, and to Lord Lyons's note of the 5th August relative to the case of the Labuan, I have the honor to state that the agent for the owners has recently written to me requesting information as to how his client's case stands at present.

I perceive by the correspondence that the matter was to have been brought

before Congress, at its last session, with a view to a speedy settlement of the claims of the parties, but that certain testimony essential to a proper determination of the question of damages had not been obtained from the consul at Matamoras, and that, therefore, to your great regret, the case had been unavoidably delayed.

As another session has now commenced, I venture to bring the subject forward again in the hope that the settlement may not be far distant.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 11, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 8th instant, enclosing to me copies of two documents relative to the movements of the steamer Georgian or Georgiana, and to other proceedings which are reported to be on foot in Canada, and to be hostile to the United States.

I have this day forwarded copies of your note and of its enclosures to his excellency the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 11, 1864.

SIR: With reference to your note of the 29th ultimo, and to Lord Lyons's note of the 30th ultimo, relative to the extradition of B. G. Burley, I have the honor to transmit to you herewith a copy of a despatch which I have received from his excellency the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Lord Lyons.

QUEBEC, *December* 6, 1864.

MY LORD: I have the honor to acknowledge the receipt this day of your despatch of November 30, enclosing a note from the Secretary of State of the United States, demanding the extradition of one Bennet G. Burley, "accused of the crimes of piracy, robbery, and assault with intent to commit murder, within the territory of the United States."

In reply, I have the honor to state, for the information of Mr. Seward, that so soon as I shall be advised that the proofs required by the treaty of extradition shall have been completed in this case, the necessary warrants shall be issued for the delivery of Burley to the authorities of the United States.

I have, &c.,

MONCK.

LORD LYONS.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 12, 1864.

SIR: I forwarded, on the 30th ultimo, to his excellency the governor general of Canada, copies of your note of the 29th ultimo, and of its enclosures, relative to the alleged existence of a military organization in Canada of fugitives from the United States.

I have now the honor to transmit to you a copy of his excellency's reply.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Lord Monck to Lord Lyons.

QUEBEC, *December* 6, 1864.

MY LORD I have the honor to acknowledge the receipt this day of your despatch of November 30, enclosing copies of the documents noted in the margin, respecting the alleged organization and drilling, in Prince Edward's county, Canada West, of fugitives from the United States.

In reply, I have the honor to state, for the information of Mr. Seward, that I will take immediate steps to investigate the accuracy of the information communicated to Major General Dix, and should it prove well founded, I will use all legal means to put an end to the practice.

I have, &c., &c.

MONCK.

LORD LYONS.

[Documents referred to.]

Mr. Seward to Lord Lyons, November 29, 1864.
Assistant Secretary of War to Mr. Seward, November 25, 1864.
Major General Dix to Mr. Stanton, November 22, 1864.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 13, 1864.

SIR: In your note of the 8th ultimo, enclosing copy of a letter of the 4th ultimo from the Secretary of the Navy, relative to the schooner James Douglass, it was stated that R. A. Porter had received directions to send the said schooner to New York; and, on her arrival, she was to be delivered up to the owners upon their renouncing all claims for the use of the vessel.

Subsequently, on the 30th ultimo, I had the honor of bringing to your notice a letter of Mr. Morris, the agent, making certain propositions with regard to the sale of the vessel.

From recent accounts she appears still to be lying at Beaufort, and the longer she stays there the less she will fetch if put up for sale. I would, therefore, request that Mr. Morris's proposition be taken into consideration, as I think his observations were fair and just as regards the use made of the vessel by the United States government.

I would propose that the vessel be brought at once to New York, as first directed by the Navy Department, and then regularly appraised and settlement made with the owners as to a fair price, as suggested by the agent.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 13, 1864.

SIR: I have the honor to enclose, for the information of the governor general of Canada, a copy of a communication of yesterday, from the War Department, in regard to the alleged manufacture of what is known as Greek fire,* for use in attempts to burn cities of the United States.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 14, 1864.

SIR: On the 11th of July last Lord Lyons, under instructions of Earl Russell, addressed to me a note informing me that two apprentice boys, employed on board the British bark Cuzco, deserted at Valparaiso and enlisted in the United States naval service on board the St. Mary's. Lord Lyons informed me that Captain McPherson, of the Cuzco, stated that he went on board the St. Mary's and demanded that the apprentices should be given up, and that the commander of the vessel gave Captain McPherson no satisfaction, and only replied that the boys could not be found without a deal of trouble, whereupon, the Cuzco being ready for sea, Captain McPherson was under the necessity of sailing without them.

On my receiving the communication of Lord Lyons, Rear-Admiral Charles H. Bell was immediately directed to investigate the matter.

On the 25th of August last, in the absence of Lord Lyons, you recalled my attention to the subject, on which occasion you furnished to me a bill of damages resulting from the desertion of the Cuzco, amounting to thirty-one pounds six shillings and two pence sterling.

On the 16th of November last I had the honor to communicate to Lord Lyons the result of the investigation which had been directed in this case of two British deserters. It appeared that while the St. Mary's was lying at Valparaiso, the captain of the Cuzco came on board and reported the fact of the alleged desertion. The apprentices concealed themselves on the St. Mary's so effectually as to baffle the search for them, which was made with good faith and diligence. After the departure of the Cuzco the deserters appeared. Arthur Cox, one of the deserters, was afterwards condemned by medical survey, and sent on the 31st of August last to the naval hospital at New York. The other, named Williams, was transferred with others to the United States ship Lancaster, which is attached to the United States squadron on the Pacific.

I have now to inform you that this government does not deem itself under either a legal or a moral obligation to deliver up the aforenamed deserters, or to pay any damages for their desertion.

This decision is based upon the ground that, on the 14th of September last, when the United States ship Iroquois was lying in the Downs, in England, two of her seamen deserted to the British shore. They were arrested at Dover and taken before a magistrate. The magistrate discharged them on the ground that they could not be abridged of their liberty by any law recognized in the United Kingdom.

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* Published with instructions to Mr. Adams, No. 1189.

Mr. Adams complained of this proceeding to Earl Russell. Her Majesty's government have affirmed the proceeding of the magistrate. It is not supposed that that government expects any different measure of justice or liberality than that which they mete to the United States.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 14, 1864.

SIR: Referring to Lord Lyons's note of the 4th ultimo, requesting information concerning the fate of John Warrington, I have the honor to inform you that, in a letter of the 9th instant from the War Department, it is stated that Warrington is a convalescent patient at the general hospital at Fort Monroe, but not able to perform field duty.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 14, 1864.

SIR: I have the honor to communicate to you, for the nformation of the governor general of Canada, a copy of a despatch of the 9th instant from D. Thurston, esquire, the consul general of the United States at Montreal, relating to suspicions entertained that two vessels now in course of construction in Montreal, called respectively the El Almandares and the Pinero, and another expected from a different quarter and the name of which is not yet ascertained, are intended to be employed for purposes hostile to the United States.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*

Mr. Thurston to Mr. Seward.

UNITED STATES CONSULATE GENERAL,
Montreal, December 9, 1864.

SIR: I have the honor to inform you that it was rumored in this city that two vessels were being built here for the use of the rebels. I immediately sent and had them examined and the following descriptions taken:

The largest vessel, called the El Almandares, is a wooden side-wheeled steamer, about 215 feet long by 30 broad and 630 tons burden, the hull being plated with iron. It has a round stern, sharp stem, double decks, rising very high and almost concealing the walking-beam and other machinery which usually appears above deck. The upper-deck roof is supported by a beam elliptical in form, the lower deck being the axis. This beam is of great strength, and adds much to the firmness of the vessel. On each side of the deck, at a distance of about three feet from each other, are a number of fixed pulleys. It has two masts, one smoke-stack, the upper part of her hull painted white and the lower black, is provided with a very powerful engine, and will no doubt prove very fast.

The other vessel, called the Pinero, is also a wooden side-wheeled steamer, 142 feet long, 27 feet broad, and 9 feet deep, 287 tons burden, with round stern, sharp stem, and double deck, the wood-work of which nearly conceals her vertical walking-beam and machinery. She carries a powerful engine, has two masts, two smoke stacks, only one of which is visible from without, is painted white, and has the lower portion of her hull plated with iron.

The El Almandares, it is stated, is to proceed to Havana under command of Captain De Calvo. The Pinero is also bound for Havana.

It is generally believed that the vessels above described have been built for purposes inimical to the interests of the United States, either as blockade-runners or are to be used as the Alabama and Florida, to prey upon our commerce. One of the police officers of the city has intimated to me that he holds the same opinion, and has informed me that another vessel is expected to join the two already here, from the upper province, with a description of which I will endeavor to furnish you.

It may be that these vessels are designed for legitimate purposes, but the belief to the contrary is so general, some particulars of their outfit so unusual, and the addition of another vessel to their number from Upper Canada so suspicious, that I have considered it proper to inform you of such fac s as I have been able to collect respecting them.

I have the honor to be your obedient servant,

D. THURSTON,
United States Vice-Consul General.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 14, 1864.

SIR: I have the honor to communicate herewith for your information a copy of an instruction of this date which I have, under the President's direction, addressed to Charles Francis Adams, esq., the minister of the United States at London,* upon the receipt of telegraphic despatches from the agents of the United States in Montreal, announcing to me the facts that Samuel Eugene Lackey and others, whose extradition was requested in my note to Lord Lyons of the 21st of November last, upon the charges of murder, robbery, and assault with intent to commit murder within the jurisdiction of the United States, have been discharged from custody, that the money and other property stolen by them has been returned to them, and that they are now at large.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 14, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 14th instant, enclosing a copy of an instruction of this date, which you have, under the President's direction, addressed to Mr. Adams, United States minister in London, upon receipt of telegraphic news that Samuel Eugene Lackey and others had been dismissed from custody at Montreal, and beg to thank you for sending me a copy of this communication.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

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*See instruction No. 1190 to Mr. Adams.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 15, 1864.

MY DEAR SIR: This is what the governor general telegraphed last night:

"The St. Albans men were discharged yesterday, on grounds so absurd that I cannot account for it. Fresh warrants have been issued for their apprehension, and the police are making every effort to prevent their escape."

Very truly yours,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 15, 1864.

SIR: With reference to Lord Lyons's communication of the 8th ultimo, relative to some shot fired from a battery in course of construction on an island near Eastport, Maine, having fallen upon the British territory at Campobello, I have the honor to enclose, in reply, a copy of a communication of the 8th instant from the War Department, from which it appears that upon investigation the occurrence referred to was unauthorized, was inadvertent, and is regretted, and that instructions will be given to avoid a repetition of the offence.

I have the honor to be, with high consideration, sir, your most obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Stanton to Mr. Seward.

WAR DEPARTMENT, *Washington, December* 8, 1864.

SIR: Referring to your letter of the 14th ultimo, enclosing a copy of a communication from Lord Lyons relative to some shot fired from a battery in course of construction on an island near Eastport, Maine, having fallen upon the British territory at Campobello, I have the honor to transmit, herewith, copies of papers submitted to this department by Major General Dix, commanding the department of the east, who was directed to investigate the subject and take proper measures to prevent a repetition of the alleged offence.

Your obedient servant,

EDWIN M. STANTON,
Secretary of War.

Hon. WILLIAM H. SEWARD, *Secretary of State.*

General Dix to General Halleck.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York, December 4, 1864.

Respectfully forwarded, with enclosed papers, to Major General Halleck, chief of staff, in response to the reference in this case of the 17th November, 1864.

JOHN A. DIX,
Major General Commanding.

Colonel Ludlow to General Dix.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, December 3, 1864.

GENERAL: In compliance with your instructions I have made an investigation in the case of firing shot from the battery on Treat's island, near Eastport, St. Croix river, and of the falling of said shot upon the British territory on Campobello island, and have the honor to report that on the 11th day of August, 1864, Captain Thomas P. Hutchinson, commanding

company C, unattached infantry, Maine volunteers, commanding posts at Fort Sullivan and Treat's island, fired three shots from the battery on Treat's island for practice, using a bluff on Campobello island known as Friar's Head, and about one mile distant, for a target.

This bluff is reported to be about five hundred feet long and about one hundred feet high. The boundary line between the United States and Great Britain runs about half way between Treat's island and Campobello island.

The first shot, a James projectile from a rifled 24-pounder, struck the water, richocheted, passed over the bluff, and, after once striking and glancing, fell upon Campobello island at a point about seven hundred and fifty yards from the point of richochet. The other two shots were shells, and exploded within a few yards of the bluff.

On the 16th August, Captain J. Robinson, royal navy, a resident, and, I believe, the owner of Campobello island, addressed a communication to Captain Hutchinson calling his attention to this gun practice, asking for an apology, and that the alleged offence should not be repeated. On the same day Captain Hutchinson replied to Captain Robinson expressing his regrets, and giving a full and seemingly satisfactory explanation of the occurrence. Copies of these letters, together with the report of Captain Hutchinson, and also two maps showing the position of the batteries at Eastport and Treat's island, and the line and range of their fire, are hereto appended.

Whether the guns on Treat's island cannot be practiced without intrusion upon British soil or waters, as complained of in the communications of Lieutenant Governor the Hon. A. H. Gordon to the Duke of Newcastle, of the 26th October, 1863, and to Mr. Cardwell, of the 10th September, 1864, is a question for the determination of the engineer department under whose direction the battery was located and armament mounted.

Immediately on the receipt of the papers in this case from Washington on the 19th November last, and in execution of the order of Major General Halleck, chief of staff, indorsed thereon, Lieutenant Colonel S. Dawson, 15th United States artillery, commanding defences of the coast of Maine, was instructed to avoid any repetition of the alleged offence in gun practice, and to furnish a full report without delay.

These instructions have been complied with, and their results are imbodied in this report.

I am, very respectfully, your obedient servant,

WM. H. LUDLOW,
Aide-de-Camp and Assistant Inspector General, Department of the East.

Major General JOHN A. DIX,
Commanding Department of the East.

Colonel Dawson to Colonel Ludlow.

PORTLAND ISLAND, *December* 2, 1864.

COLONEL: I have the honor to transmit the report of Thos. P. Hutchinson, commanding the batteries at Eastport and Treat's island, relative to the firing from the latter battery against Friar's Head, on Campobello island, August 11, 1864, with the letter of Captain Robinson, royal navy, the owner of the island, and Captain Hutchinson's reply; also a sketch of the batteries and the island of Campobello. I also forward a map of the harbor and island of Campobello, for which I am indebted to Major Casey, of the engineers.

Very respectfully, your obedient servant,

S. K. DAWSON,
Lieutenant Colonel 15th Infantry,
Commanding Coast Defences of Maine and Portsmouth Harbor.

Lieutenant Colonel W. H. LUDLOW,
Assistant Inspector General Department of the East, New York, N. Y.

Captain Hutchinson to Colonel Dawson.

FORT SULLIVAN,
Eastport, Maine, November 28, 1864.

SIR: I have the honor to make the following report: On the 11th day of August, 1864, while practicing the battery on Treat's island, so called, near Eastport, Maine, one gun was brought to bear upon a perpendicular bluff, some five hundred feet in length and one hundred high, called Friar's Head, on Campobello island, New Brunswick. The piece first used was a rifled 24-pounder, mounted on a barbette carriage, charged with 4½ pounds powder and a James's patent shot, with 2½° elevation—distance across the channel one mile. The shot struck the water one hundred and fifty yards short of the target and richocheted over the Head, which at this point is one hundred feet high above low-water mark, (it being low water at the time.) Its flight will be seen by the heavy dotted line on the accompanying diagram—striking the earth in the rear of, and some two hundred yards distant from, the house of a man named Taylor. The distance from where it struck the water to this point is, as near

as I can judge, five hundred yards. Glancing from this point, it continued its flight about two hundred and fifty yards and lodged in a side-hill in an adjoining pasture. It was supposed at the time by myself, and those who witnessed the firing, that this shot lodged in or near the top of the bluff, as portions of earth and loose stones were seen to fall down the precipice immediately after the shot was seen to strike the water. Two shells were then fired from a 32-pounder smooth-bore gun, charge 6 pounds powder, with 3° elevation, 5″ fuse, both of which exploded within five yards of the ledge—both excellent shots, so called by those of experience in such matters.

Not until the next day was I aware that one of these shots passed over the Head, on learning which I immediately went over, and, in company with Mr. Taylor, found where the shot struck. Upon measuring the distance, it proved to be three hundred yards from his house, in an open field. I followed the course of the shot in its flight, and succeeded in finding it. I assured the inhabitants, at the same time, that it was purely accidental on my part, and in the future I would avoid a repetition of the offence. They appeared perfectly satisfied with my explanation, &c. It was my intention to have seen Captain Robinson (the owner of the island) that night, but he being absent, as I was informed, I did not see him. In a few days I received a communication from him, requesting me to make an explanation of the affair in writing, that he might be enabled to answer any question that should arise from those superior to him in authority. Enclosed is a copy of his letter, with my reply.

The reason of my making a target of this bluff was, it is quite impossible to practice artillery without firing on their domain or waters. Troops stationed at this post have heretofore practiced artillery against this Head, it being the least dangerous of any point within range of the guns of the batteries in this vicinity.

I also forward with this report a sketch of the different islands in this vicinity; also the location of the two batteries—one on Treat's island, the other on Todd's Head, Eastport. The battery on Treat's island consists of two rifled 24-pounders, casemate; two 32-pounders, smooth-bore, casemate. The battery on Todd's Head is two rifled 24-pounder guns, mounted on barbette carriages; and three 32-pounders, smooth-bore, casemate.

Very respectfully, your obedient servant,

THOMAS P. HUTCHINSON,
Capt. Co. C Unattached Inf. Maine Vols., Com'g Post.

S. K. DAWSON,
Lieut. Col. 15th Infantry, U. S. A.,
Commanding Coast Defences Maine, Portland, Me.

Captain Robinson to Captain Hutchinson.

CAMPOBELLO, N. B., *August* 16, 1864.

SIR: Yesterday I went over to Treat's island for the purpose of seeing you and calling your attention to the practicing the guns of the battery on that island upon Friar's Head, so called, in Campobello; and also to that of a shot having richocheted over the Head during the practice on Thursday, the 11th instant, passing over a house and striking the earth near a barn occupied by a man named Taylor.

I had awaited until then, hoping to have heard from you some explanation of the circumstances, having not the slightest doubt but that the latter event was purely accidental.

But in your position as commandant of a fort you must be aware, on consideration, that firing shot into a friendly and neighboring territory, without permission, is entirely against all law of nations; and although owning the soil, I much question whether it would have been in my power to grant permission, even had it been asked, as the sovereignty of the soil lies in the nation, not in the individual.

It is far from my wish to create any ill feeling on this occasion or make any unnecessary importance of the affair, it being, as I thoroughly believe, purely a piece of inadvertence; but it will be necessary for you to be so good as to inform me so in writing, and also that the same may not be repeated, that I may be enabled to answer the inquiries of those superior to me in authority.

I have the honor to be, sir, your obedient servant,

J. ROBINSON,
J. P. and Captain Royal Navy.

Capt. HUTCHINSON, U. S. A.,
Commandant Forts, &c.

Captain Hutchinson to Captain Robinson.

EASTPORT, ME., *August* 16, 1864.

CAPTAIN: I have the honor to acknowledge the receipt of your letter of this date.

In reply, I would say 'twas not my intention to practice the battery on the island until I had received permission from you, but on that day having some military company who wished to

see the effect of two or three shots against the Head, and not having the least idea the shot would miss the Head, I took the liberty to fire *three shots*, and to guard against doing any injury, I was careful to have the gun depressed, so as to have the shot to fall short, rather than run the risk of carrying over the Head; but, contrary to my expectations, the first shot (as it afterwards proved) ricocheted after striking the water, and passed over the Head, striking as you stated in your letter. At the time we all thought the ball lodged against the ledge, and not until the next day did I know of the facts. I went over immediately on learning the circumstance and saw Mr. Parker, who showed me where the shot struck. I followed the course, and found the shot in an adjoining pasture. The other two shots I found on the beach under the Head.

I was treated very kindly by Mr. Parker and others whom I met while on the island, and to whom I apologized, assuring them it would not be repeated, at the same time intending to call on you and do the same.

Circumstances since the affair have been such that I have been unable to do so. Hoping the affair will create no ill feeling, I will do myself the honor to call upon you personally at the earliest opportunity, and give, perhaps, a more satisfactory explanation.

I am, very respectfully, sir, your obedient servant.

THOMAS P. HUTCHINSON,
Captain, Commanding Fort Sullivan.

J. ROBINSON,
J. P. and Captain Royal Navy, Campobello, N. B.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 15, 1864.

SIR: I have the honor to acknowledge the receipt of Lord Lyons's note of the 5th instant, together with its accompanying copy of a despatch from the governor general of Canada, relative to the schemes of the insurgents in Canada against the United States.

Accept, sir, renewed assurance of my high consideration.

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 15, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 9th instant, relative to the case of the Labuan, and, in reply, to inform you that it will receive attention.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 16, 1864.

SIR: I have the honor to acknowledge with thanks the receipt of your note of the 12th instant, transmitting a copy of a note from his excellency the gov-

ernor general of Canada relative to the alleged existence of a military organization in Canada of fugitives from the United States, which formed the subject of my communication of the 29th ultimo to Lord Lyons.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*, *&c.*, *&c.*

Mr. Burnley to Mr. Seward.

BRITISH LEGATION, *Washington, December* 16, 1864.

MY DEAR SIR: I have just received a telegraphic message from Viscount Monck, begging me to convey to you his thanks for the prompt and satisfactory explanation of General Dix's order.

He begs me to assure you of his vexation at the turn affairs have taken in the St. Albans case, and that the Canadian government are doing everything in their power to remedy the mischief done by the magistrate's extraordinary decision.

As a good deal of excitement, however, prevails in consequence of General Dix's order, Viscount Monck is anxious to know whether you would object to his making public the substance of what I telegraphed to him, which was, "that the order had been issued without instructions, but that steps would be taken to prevent action on that portion of it which related to crossing the border into Canada."

I am, very truly, yours,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 16, 1864.

SIR: I have the honor to acknowledge receipt of your note of the 14th instant relative to the two apprentices of the Cuzco, in which you are good enough to inform me that this government does not deem itself under either a legal or moral obligation to deliver up the aforenamed deserters or to pay any damages for their detention, and that this decision is based upon the ground that in a similar case which occurred in England the British government refused to deliver up two American deserters.

I was under the impression, when your note of the 16th ultimo reached me, that it had been implied that the boys would be given up, owing to an expression made use of by R. A. Hill in a letter which formed one of the enclosures with regard to John Williams. "He will be given up to any one authorized to receive him;" the other being in the naval hospital of New York, unfit for service of any kind. I will, however, do myself the honor of transmitting a copy of your note to her Majesty's government, and would beg leave to repeat, what I mentioned in my note of the 18th ultimo, that the name of the other boy is not Arthur Cox but *Alfred Dewick*.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 17, 1864.

SIR: The lords commissioners of the admiralty have received from Vice-Admiral Sir Augustus Kuper, commanding her Majesty's naval forces in the eastern seas, an account of the successful operations lately undertaken by a combined squadron of English, French, Dutch, and United States vessels against the batteries erected by the Japanese prince of Nagato in the straits of Simono-Saki.

Sir A. Kuper reports that the most cordial good feeling prevailed throughout the operations between the officers and men of the allied forces, and he attributes, in great measure, to that good feeling the speedy and entire success with which the operations of the combined squadron were crowned.

It is with feelings of great pleasure that I am enabled to lay before you the enclosed copy of a letter which Sir A. Kuper addressed to Lieutenant Pearson, of the United States navy, expressing the sense which the British admiral entertains of the important services rendered on that occasion by the officers and men detached from the United States corvette Jamestown. And, in accordance with the wish of the admiralty, her Majesty's government instructs me to request that the United States government will have the goodness to convey to Lieutenant Pearson the acknowledgment of the lords commissioners for the ready co-operation which that gallant officer afforded to the British admiral during the whole of the operations in question.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Admiral Kuper to Lieutenant Pearson.

HER MAJESTY'S SHIP EURYALUS,
Straits of Simono-Saki, September 11, 1864.

SIR: The operations in the straits of Simono-Saki having terminated, I am desirous of conveying to yourself, and through you to the men under your immediate orders, the expression of my best thanks for the assistance rendered by the Takiang throughout the progress of the recent events, which have been attended with the most complete and successful results.

The courtesy shown by you in receiving temporarily on board the Takiang the wounded of the squadron has been of considerable advantage to us, and I shall have much pleasure in reporting to her Majesty's government your ready acquiescence in my wishes on all occasions when the services of the Takiang could be made available in any manner towards the success of the operations.

I have, &c.,

AUGUSTUS L. KUPER,
Vice-Admiral and Commander-in-Chief.

Lieutenant PEARSON, U. S. N.
U. S. Steam Vessel Takiang.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 17, 1864.

SIR: I have the honor to communicate to you, under the instructions which I have received from her Majesty's principal secretary of state for foreign affairs, the enclosed copy of a despatch addressed to Lord Lyons relative to the intention of the United States government, in conformity with the treaty reservation right, to increase their naval armament upon the North American lakes.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c. &c.*

Earl Russell to Lord Lyons.

FOREIGN OFFICE, *November* 26, 1864.

MY LORD: Your lordship, in your despatch of the 28th ultimo, has referred to the intention of the United States government to give notice to her Majesty's government that, in conformity with the treaty reservation of the right to give such notice, the United States government will deem themselves at liberty, at the expiration of six months after the communication shall have been made, to increase their naval armament upon the North American lakes, if, in their judgment, the condition of affairs should require it; and you have enclosed a copy of a despatch from Mr. Seward to Mr. Adams, which, after referring to the case of the Chesapeake, and after relating various acts of aggression from Canada, namely, the seizure and destruction of the Philo Parsons and Island Queen on the lakes, and the attack upon the town of St. Albans, in Vermont, by a party of twenty-five men, issuing from the British territory, proceeds to lay down the following important propositions:

1. "The insufficiency of the British neutrality act, and of the warnings of the Queen's proclamation to arrest the causes of the complaint referred to, were anticipated early in the existing struggle, and the British government was asked to apply a remedy by passing an act more stringent in its character, such as ours of the 10th of March, 1838, which was occasioned by a similar condition of affairs." This request has not been complied with, though its reasonableness and necessity have been shown by subsequent acts.

2. "It is now my duty to instruct you to give notice to Earl Russell, in conformity with the treaty reservation of that right, that, at the expiration of six months after you shall have made this communication, the United States will deem themselves at liberty to increase the naval armaments upon the lakes, if, in their judgment, the condition of affairs in that quarter shall then require it."

3. After again recurring to the measure of 1838, Mr. Seward says: "I should fail, however, to express a sincere conviction of this government if I should not repeat now, what I have heretofore so often had occasion to say, that practically the policy of neutrality which her Majesty has proclaimed has failed as well in the British home ports as in the British colonies, and especially in the latter, and that it must continue to fail more conspicuously every day so long as asylum is allowed there to active agents of the enemies of the United States, and they are in any way able, by evasion or otherwise, to use the British ports and British borders as a base for felonious depredations against the citizens of the United States; nor are we able to conceive of any remedy adequate to the present exigency but the recognition by her Majesty's government of the first and exclusive sovereignty of the United States in all the waters and territories legally subject to the jurisdiction of this government."

On the 23d instant I received from Mr. Adams the note which I enclose, and the several documents annexed to it; but as they are the same in substance as the communication you have sent me, I think it will be more convenient to deal with the formal and authoritative despatch of the Secretary of State.

1. The reference to the act of March 10, 1838, (of which I enclose a copy,) will not have any application with respect to vessels leaving the shores of the United Kingdom. The difficulty in regard to vessels fitted out or equipped in our home ports has always consisted in proving that the vessel was "provided or prepared for any military expedition or enterprise against the territory or dominions of any foreign prince or state with whom her Majesty is at peace," and a similar difficulty would be found in enacting a law exactly copied from the United States act of March 10, 1838. With regard to "territories conterminous with the United States," it might, indeed, more easily be proved, with respect to any military bodies assembled near the border, that they were intended to cross the frontier in hostility to a state with whom her Majesty is at peace. On this part of the question I have to desire you to assure Mr. Seward that the subject is undergoing the most searching investigation by the law officers of the Crown, with a view to take the most effectual measures to prevent incursions from the bordering British provinces into the territory of the United States. In the mean time I have to observe that in the early part of the war, while active efforts were made to fit out, in British ports, ships intended to be completed in the waters of other neutral States, as ships-of-war, and thence to be employed as cruisers against the United States, but few, if any, attempts were made to disturb the frontier of Canada by military or naval expeditions. Hence the act of Congress of March, 1838, was not considered to be applicable to the existing state of affairs. I may also observe, that during the late insurrection in Poland, although the governments of Austria and Prussia were, from a regard to their own interests, unfavorable to that insurrection, and although their means of repression were much more available and much more energetic than ours ever can be, yet insurgent expeditions from Galicia and from the Duchy of Posen were of very frequent occurrence. The governor of Canada, it is admitted by the United States government, has done all that he could lawfully do, and if his efforts should fail and other measures of repression consistent with the nature of our government shall be found requisite, her Majesty's government will not hesitate to propose them.

2. It is perfectly competent to the United States to give notice that at the end of six months that government will be at liberty to increase their naval force on the lakes. It is certainly true that while both nations are disarmed on the lakes, marauders or depredators may destroy or

capture unarmed vessels belonging to either party. Her Majesty will, of course, be at liberty also to increase her naval force on the lakes at the expiration of the six months after notice, if she shall think fit so to do. But it is to be hoped that when peace is restored the former agreement, which was formed upon just and wise considerations, may be renewed, as one that must be advantageous to both parties.

3. The next proposition of the Secretary of State declares the neutrality proclaimed by her Majesty to have failed, as well in the British home ports as in the colonies; that it must continue to fail so long as asylum is allowed there to active agents of the enemies of the United States, and so long as those persons are in any way able, by evasion or otherwise, to use the British ports and British borders as a base for felonious depredations; and the Secretary of State adds, that the only remedy which the government of the United States is able to conceive, is the "recognition by her Majesty's government of the first and exclusive sovereignty of the United States in all the waters and territories legally subject to the jurisdiction of this government."

It appears to her Majesty's government that this proposal amounts to nothing less than a demand that Great Britain should cease to acknowledge the belligerent character of the southern States, and treat the southern citizens as felons and pirates. In order to consider this matter fully, I find it necessary to recur to the events of the last three years.

President Lincoln, immediately after his accession to power in 1861, found himself face to face with a most formidable insurrection. In the month of April, 1861, he ordered a levy of seventy-five thousand men to meet the danger. Finding this number insufficient, armies of three, four, and even seven hundred thousand men have been raised, embodied, marched, exposed to battles and sieges, worn by fight and fever, exhausted, consumed, and replenished in this mighty contest. With similar purposes the President, in the same month of April, 1861, proclaimed the blockade of the coast of seven States, and the blockade of two other States was added immediately afterwards. A navy was suddenly created, supposed to be adequate to the task of blockading three thousand miles of coast.

Her Majesty's government could not, any more than the other powers of Europe, fail to recognize in the vast extent of the territories involved in hostilities, and in the fierce nature of the contest, a civil war of the most extraordinary character.

In proclaiming that both parties in this vast war were to be treated as belligerents, and in admitting the validity of a blockade of three thousand miles of coast, her Majesty's government acknowledged an existing fact, and recognized the international law applicable to that fact. But her Majesty's government could not disguise from themselves the difficulties which would beset, under any state of law, the task of preventing undue aid being given by individuals among the Queen's subjects to one or the other of the belligerents. The identity of language, the increasing intercourse of trade, the immense extent of ship-building carried on in this country, and the ingenuity of speculators in defeating laws and proclamations, made it impossible that there should not be many escapes from the vigilance of the government, and many successful stratagems to disguise hostile proceedings.

Still her Majesty's government counted on the fair consideration by the government of the United States of what was possible on their estimate of the honest intention of the British Executive, and their knowledge of the latitude, both of opinion and of action, prevailing among a people nurtured like that of the United States in free institutions.

Her Majesty's government also thought that the United States must be aware that the law of nations and the circumstances of the war gave an immense advantage to the federalists against the confederates in obtaining warlike supplies. In confirmation of this remark, it may be reckoned that besides very many batteries of artillery, five hundred thousand rifles have been manufactured in this country and conveyed to the shores of the northern States, to be used by the federal troops in the war. It may safely be said, also, that many thousands of the Queen's subjects have held these rifles against the hearts of men whom her Majesty does not regard as her enemies.

The supplies sent to the confederates are, on the other hand, very commonly intercepted and captured on the sea by federal ships-of-war. Her Majesty's government, however, have put in force impartially the provisions of the law, and have prosecuted those persons, who, in apparent violation of that law, have fitted out vessels in our ports with the purpose, as it was believed, of aiding in hostilities against the United States, or who have been engaged in enlisting seamen or recruits in the service of either belligerent; and her Majesty's government have succeeded in preventing the departure from the Clyde and the Mersey of several ships intended for the service of the confederates.

Such being the state of affairs, her Majesty's government are not prepared either to deny to the southern States belligerent rights, or to propose to Parliament to make the laws of the United Kingdom generally more stringent.

To allow to the United States the belligerent rights of blockade and of search and detention to the widest extent, and to refuse them altogether to the other party in the civil war, who have possession of an extensive territory, who have all the forms of a regular government, framed on the mould of that of the United States, and who are wielding large regular armies, would, her Majesty's government presume to think, be as contrary to the practice of civilized nations as it would be to the rules of justice and of international law.

Neither can her Majesty's government refuse an asylum to persons landing on our shores

and conforming to our laws, merely because such persons may be or may have been in hostility with a government or nation with whom her Majesty is at peace.

The Congress and President of the United States have thought themselves compelled, by the necessity of internal war, to restrict and curtail the liberties of the people of these States. Her Majesty's government do not presume to judge of that necessity, but they cannot find in the hostilities which prevail on the continent of North America any justification for so altering the laws of the United Kingdom as to deprive the citizens of the southern States of America of that asylum which Great Britain has always afforded to men of all nations and of all political opinions.

But while the government of the United States complain that her Majesty's policy of neutrality has failed, her Majesty's government have had frequent occasion to complain that the United States have carried beyond all acknowledged limits the rights of belligerents. The crews of vessels seized as blockade-runners, who, by the law of nations, are only subject to detention till the case of the vessel in which they were found has been heard in a prize court, have been subjected to confinement for indefinite periods of time as prisoners of war, and her Majesty's government have more than once felt it to be their duty to express their opinion that such proceedings are a plain and clear violation of neutral rights.

The United States government have also compelled British merchants trading between New York and a neutral port to give bonds for the conduct to be observed by them in that port, and for the direction of their future voyages, and this is against the plain tenor of the treaties subsisting between Great Britain and the United States.

The government of the United States have likewise permitted their subordinates and recruiting agents to enlist British subjects who had been drugged, and had not, when so enlisted, recovered from the effects of the treatment to which they had been subjected.

If her Majesty's government have not resisted more strenuously than they have hitherto done these illegal and unfriendly proceedings, the cause is to be found in their belief that the passion and excitement of the contest have, for a time, obscured the sense of justice and respect for law, which usually distinguish the United States, and that with the close of the contest calm consideration will return, and a just view of these transactions will be taken.

The welfare and prosperity of the United States are earnestly desired by the government of her Majesty, and the necessity of securing peace and harmony on the borders between the British and the United States territory is fully acknowledged. With this disposition on both sides, her Majesty's government cannot doubt that adequate means of repression will be found, and that signal failure will attend any wicked attempts which may be made to involve the two nations in the calamities of war.

It is a pleasure to me to conclude this despatch by noticing the handsome terms in which the Secretary of State declares himself not only able but obliged to acknowledge that the Canadian authority has in the last-mentioned instance "thus far co-operated with this government in faithful and diligent efforts to bring the disturbers of public peace to justice." Her Majesty's government trust such faithful co-operation in the performance of friendly offices may long on both sides continue.

I have to instruct you to give a copy of this despatch to the Secretary of State.

I am, &c.,

RUSSELL.

LORD LYONS, G. C. B., *&c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 17, 1864.

MY DEAR SIR: In accordance with the arrangements made at our interview this morning, I telegraphed to the governor of New Brunswick, Nova Scotia, and Prince Edward's island, to inform them that things were critical relative to the St. Albans raiders; that they must be upon their guard lest they should be allowed to escape through their provinces, and increase the irritation which is felt on this subject.

Believe me to be, my dear sir, your very obedient, faithful servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 19, 1864.

MY DEAR SIR: I have received with much satisfaction your letter of the day before yesterday, in which you informed me of the purport of telegraphic com-

munications which you addressed to the governor of New Brunswick, Nova Scotia, and Prince Edward's island, in regard to the St. Albans marauders. Your just and friendly spirit is highly appreciated.

Believe me to be, my dear sir, very faithfully yours,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 19, 1864.

SIR: I have the honor to communicate, for your information, a copy of an instruction of this department of the 6th instant, and of its enclosures, addressed to Mr. Adams, United States minister at London,* on the subject of certain intercepted correspondence of insurgents residing in Canada.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

[* See instruction, No. 1183, to Mr. Adams.]

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 21, 1864.

SIR: I have the honor to state, for the information of her Britannic Majesty's authorities, that by a despatch of the 13th instant from the United States consul at Halifax, I have been apprised of the existence of a piratical organization, consisting of about three hundred persons, which has been formed for the purpose of seizing, plundering, or destroying, or, where it may be practicable, of appropriating steamers and other vessels belonging to citizens of the United States at different points along the Atlantic and Pacific coasts, and on lakes situated between the United States and Canada. The consul states that this body of desperadoes will separate into smaller parties and operate at different points; that a portion of the band will remain at Nassau; that several persons belonging to the organization have pretended commissions from the so-called secretary of the navy of the insurgents in arms against this government; that some of the parties connected with this organization left Halifax recently in the steamer Acadie, which sailed for Nassau and Havana; that Braine, one of the piratical leaders engaged in the seizure of the steamers Chesapeake and Roanoke, was at Halifax two or three days before the consular despatch referred to was written; and that he left under an assumed name in a schooner for Nassau; that McDonald, who was associated with Braine in the seizure of the Chesapeake, is said to be in Canada, in the vicinity of Detroit.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Jackson to Mr. F. W. Seward.

No. 141.] CONSULATE OF THE UNITED STATES,
Halifax, Nova Scotia, December 13, 1864.

SIR: I have the honor to inform you that an organization of rebels has been formed, consisting of at least three hundred persons, for the purpose of seizing, plundering, destroying, and, where practicable, appropriating American steamers and other vessels at different points along the Atlantic and Pacific coasts, and on the upper lakes.

The main object of these pirates will be to seize vessels having large amounts of money on hand. This body of desperadoes will separate in smaller parties and operate at different points. Their base of operations and headquarters will hereafter be at Havana, at which place they will be supplied with money, and such arms and other means as may be necessary to facilitate their operations. A portion of the company will probably remain at Nassau; another portion will proceed from Havana to Vera Cruz, and another portion to California, for the purpose of intercepting and seizing the Pacific mail steamers.

Those steamers carrying the largest amounts of money will be the special objects of attack. Several persons belonging to the organization have commissions from the rebel secretary of the navy. Some of the parties connected with the piratical gang left here last week in the steamer Acadie, which sailed for Nassau and Havana, and which steamer, it is said, will proceed from Havana to Vera Cruz.

Lieutenant Braine, one of the piratical leaders, and who was connected with the seizure of the Chesapeake and Roanoke, and who has a commission from the rebel government, was here two or three days ago in disguise, and left under an assumed name in a schooner for Nassau. McDonald, who was connected with Braine in the seizure of the Chesapeake, is said to be in Canada, in the vicinity of Detroit.

I have the honor to be, sir, your obedient servant,

M. M. JACKSON, *United States Consul.*

F. W. SEWARD, Esq.,
Assistant Secretary of State.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 21, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 19th instant, and of its enclosures, relative to certain intercepted correspondence from persons residing in Canada.

I beg to state, in reply, that I have this day forwarded to his excellency the governor general of Canada copies of your communication, and that I will avail myself of the first opportunity to make her Majesty's government acquainted with the information which is contained therein.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 21, 1864.

SIR: I had the honor of addressing you a note on the 17th instant, under the instruction which I had received from her Majesty's government, requesting the United States government to convey to Lieutenant Pearson the acknowledgment of the lords commissioners of the admiralty for the ready co-operation which that gallant officer afforded to Vice-Admiral Sir A. L. Kuper during the operations in which the combined forces of Great Britain, France, the Netherlands, and the United States had recently been engaged in the straits of Simonosaki, in Japan.

It is now my pleasing duty to state to you that the Queen is desirous of evincing her high appreciation of the zealous co-operation of Lieutenant Pearson, and of the conduct of the United States naval forces, on the occasion in question, by nominating Lieutenant Pearson a companion of the military division of the order of the Bath, and her Majesty trusts that the President of the United States will be pleased to allow that officer to accept the honor which her Majesty is desirous to confer upon him.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 21, 1864.

SIR: I have the honor to acknowledge receipt of your note of the 21st December, relative to the alleged organization formed in Halifax for seizing United States ships on the lakes situated between the United States and Canada, and at different points along the Atlantic and Pacific coasts.

I have this day transmitted copies of that note to their excellencies the governor general of Canada and the lieutenant governor of Nova Scotia.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 22, 1864.

SIR: I have received the instructions of her Majesty's government to communicate to the United States government copies, herewith enclosed, of Sir Rutherford Alcock's despatches on the late events in Japan.

Her Majesty's government having considered these despatches, has signified to Sir R. Alcock, in the despatch of which I beg also to enclose a copy, her Majesty's gracious approval of his conduct.

As regards the future policy to be observed in dealing with the Japanese government, her Majesty's government think it advisable to await the result of the negotiations which, at the date of Sir R. Alcock's despatches, were still in progress between the representatives of the treaty powers and the ministers of the Tycoon, and perhaps the arrival of Sir R. Alcock in England, which may be expected in a few weeks, before taking any definitive decision on the subject; but in the meanwhile her Majesty's representative in Japan will be apprised with reference to Sir R. Alcock's despatch No. 63, of the 28th of September, that her Majesty's government are willing to renounce any money payment on account of the forbearance shown by the allied troops in dealing with the town of Simonsoaki, and on account of the expenses of the expedition against the Prince of Nagato, if greater or equal advantages can be secured by stipulations to be obtained from the Tycoon or the Mikado.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Earl Russell to Sir R. Alcock.

FOREIGN OFFICE, *December* 2, 1864.

SIR: Your despatch of the 28th of December is a successful vindication of the policy you have pursued.

My despatches of the 26th of July were written with a view to discourage the interruption of a progressive trade by acts of hostility, and to forbid recourse to force while the treaty was generally observed. These despatches you will understand remain in full force. But the documents you have sent me, which arrived by the last mail, show that the silk trade was almost wholly interrupted by the Tycoon, who seemed to be preparing to abet or to abandon the project of driving out foreigners according to the boldness or the timidity of our demeanor. In this position there could be no better course than to punish and disarm the Daimio Prince of Nagata. That course had these three separate advantages:

1. It gave the best promise of concurrence of the four powers, as France, Holland and the United States had all been sufferers from the Prince of Choshin's violation of treaty, while we were most exposed to risk and loss by any Japanese attack on Yokohama.

2. It involved proceeding only against a rebellious vassal, and not against the Mikado or the Tycoon.

3. If the operation should prove successful, the four powers were under no obligation to undertake further hostilities, unless fresh provocation should be received.

Her Majesty's government have received with great satisfaction the account of the naval operations of the four squadrons, and their result, contained in your despatch No. 60. Those operations were conducted in the most gallant manner, the loss was not considerable, the four powers acted in harmony together, no defenceless city suffered during the hostilities, and the terms granted to the offending Daimio were moderate towards him and sufficient for us.

I have only to add, that I am commanded to express to you her Majesty's full approbation of your conduct.

I am, sir,

RUSSELL.

Sir R. ALCOCK, K. C. B., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 22, 1864.

SIR: On receipt of your note of the 13th instant, relative to the supposed imposition practiced on her Majesty's consul at New York, in the case of the Harrises, of the Young Republic, by means of false and fraudulent affidavits, I at once put myself in communication with Mr. Archibald, desiring him to investigate the matter, and to report to me on the subject.

From the reply of Mr. Archibald, a copy of which I have the honor to enclose, I regret to say that the suppositions of the War Department in this respect seem to have been but too well founded.

At the same time, in justification of Mr. Archibald, I am bound to say that he seems to have done all that was right and proper on this occasion. He seems throughout to have been in communication with General Dix, to whom his suspicions were imparted; and had it not been for the unworthy part played by Rainey in this transaction, and the false oaths taken by the witnesses brought forward, I have no doubt that the truth would have been arrived at. In all cases submitted, the affidavits are forwarded as received, with the proviso that, should the statement be found correct, or the circumstances of the case warrant the applicant's release, he may be liberated, and not on any other grounds.

It would be impossible for her Majesty's consul thoroughly to sift all the applications which are daily and hourly made at his office, more particularly when men are found base enough to perjure themselves in the shameless way in which these witnesses seem to have done. The machinery at the command of the War Office enables them to do this much more effectually, and I should be the first person to wish that a thorough investigation should take place, in order to prevent the innocent and guilty from being mixed up in one common doom. I

regret quite as much as Mr. Archibald that these men have regained their liberty under false pretences.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Archibald to Mr. Burnley.

BRITISH CONSULATE, *New York, December* 17, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of the 15th instant, calling my serious attention to an enclosed copy of a note addressed to you by the Secretary of State of the United States, remarking on the genuineness of the affidavits offered in support of the nationality of the two Harrises, and instructing me to set on foot an inquiry, with a view to ascertaining whether any imposition has been practiced, and to report to you on the subject.

In reply, it is with extreme regret I have to report, that about a week ago I first entertained suspicions, which have since been confirmed, that an imposition had been practiced upon me in reference to the affidavits forwarded to you in my despatch of the 31st of October. I communicated my suspicions to General Dix on the following day, but it was unhappily then too late to arrest the party most guilty in the transaction, namely, William Rainey, late purser of the Young Republic.

The circumstances of the case of the two Harrises, so far as they came under my cognizance, are as follows: on my return from England, these men together with Rainey were imprisoned at Fort Lafayette; I was informed by the acting consul that they had all made affidavits of their British nationality; but that further proof was required, especially in regard to Frank M. Harris. I never saw either of the Harrises until after their release from Fort Lafayette.

On the 6th October, William Rainey, the purser of the Young Republic, was discharged. He reported himself at this office, and it was quite manifest from his strong north-of-Ireland accent, and his appearance, that he was a native-born British subject. He subsequently called at this office several times, and spoke of the hardship and injustice of detaining the two Harrises in prison, always asserting that they were both undoubtedly British subjects, and adding that they were suffering from ill health.

There was a frankness of manner about Rainey which led me to place confidence in his statements. He told me he knew they could get out by paying money, but he thought it an unjust thing that they should have to pay for their liberty when they were legally entitled to it. I inquired if they had not written for proof from England. He replied, "Yes, they had; but that their letters had either miscarried, or that some unaccountable delay had taken place; but he said he knew there were people from the old country here who could prove the nationality of both the Harrises, if he could but meet with them."

On the 31st October Rainey called upon me, accompanied by two persons, well dressed and of respectable appearance, entire strangers to me, and told me they were two Englishmen whom he had fallen in with, and who both knew the Harrises, and could swear to their nationality. I examined them on the subject. Both, I lament to say and believe, were Englishmen. The one calling himself Cragg undoubtedly was so. He was stout-built, respectably dressed, fully sixty years of age, and with an unmistakable Yorkshire dialect. They gave without hesitation their addresses—the one at Boston, the other at Philadelphia. I was very busy that morning, and said I could not further attend to the matter, but that if they could call on the following morning I would take their affidavits on the subject. The one calling himself Foster said he was obliged to return to Philadelphia by the afternoon train; and Cragg said he was going back to Boston on the next morning. I said, "Very well; if they would call in the afternoon at three, or half-past, I would attend to the matter." At the appointed time they returned with Rainey, and, their statements being repeated and reduced to writing in the form of affidavits, they respectively signed and swore to them before me.

So far as regards the demeanor and appearance of the witnesses, who were grave, intelligent, and respectful, I confess I had not the least suspicion that a deception was being practiced upon me; but, confiding in the veracity of their statements, I subsequently pressed the case of the prisoners on your consideration.

On the first of December the two Harrises, accompanied by Rainey, called at this office and reported that they had been discharged on the 29th of November; that the marshal was satisfied there had been a mistake of Frank M. Harris for some other person of the same name. This was the first time I had ever seen either of them. They remained but a few minutes. On Monday, the 5th instant, Frank M. Harris again called, mentioning that he had been detained, by order of General Dix, from sailing in the Corsica, and was at liberty on his parole, with orders to attend at the general headquarters on the following morning at 11 o'clock, and requested that I would send a clerk at that hour to identify him as the Frank M. Harris who had been liberated from Fort Lafayette. I told him that the marshal could better do that;

but, as he repeated his request, I said I would comply with it. I then had some conversation with him, and remarked, that had not his nationality been so positively sworn to by himself and others, I should certainly have taken him for an American. He persisted in stating that he was an Englishman, and a native of Grimsby, in Yorkshire. On my observing again that his manner and appearance were quite American, he accounted for it by saying he had sailed out of the States a good deal, and as a boy he had been in Charleston with his father some ten years ago. His father, he said, was a native of Liverpool, but that he himself really was a native of Grimsby, in Yorkshire. He added that he had been mistaken for another person of the same name, but that the marshal was now quite satisfied of the mistake, and that a person who was said to be his father had declared he knew nothing about him.

On the following day my clerk attended at General Dix's headquarters; but Harris, it appears, was not forthcoming. Even then my suspicions of falsehood on the part of the witnesses were not aroused; but two or three days afterwards, when I sent to the hotel where Rainey had lodged to inquire of him respecting them, I found he had left New York also. The information conveyed in Mr. Seward's note that these witnesses are not to be found at the addresses given by them, leaves, I fear, no room to doubt that they have sworn falsely, and under other names than their proper ones.

I shall not fail to use all practicable means to trace and discover the parties who made these affidavits before me, and trust I may be successful. I can only repeat the expression of my deep regret that so gross a fraud has been practiced upon me. I lament it the more since, although I have at all times endeavored to use proper precautions in submitting for your consideration statements of facts made by other parties, yet, through the confidence which has been placed in the prudence as well as in the integrity of my proceedings in this matter, this prisoner has regained his liberty, I fear, on false pretensions.

I have, &c., &c., E. M. ARCHIBALD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 22, 1864.

SIR: I have the honor to acknowledge the receipt of your communication of the 17th instant, relative to the conduct of Lieutenant Pearson, of the United States corvette the Jamestown, in co-operating with the English, French, and Dutch vessels-of-war against the batteries erected by the Japanese Prince of Nagato on the straits of Simono lake, and requesting that the United States government will convey to Lieutenant Pearson the acknowledgment of the lords commissioners of the admiralty for the ready co-operation which that officer afforded to the British admiral. The account of these proceedings affords this government great satisfaction, and I will thank you to convey to Earl Russell my congratulations upon the result, and to inform his lordship that the conduct of our minister on the occasion and that of naval officers have been approved.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 24, 1864.

SIR: With reference to your note of the 8th instant, and to previous correspondence relative to the movements of the steamer Georgiana, I have the honor to transmit to you herewith copies of a despatch which I have received from his excellency the governor general of Canada, by which you will perceive that the Canadian government is fully alive to the importance of preventing the formation of any plans hostile to the United States on British soil.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

GOVERNMENT HOUSE, *Quebec, December* 17, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of the 11th instant, and its enclosures, relative to the movements of the steamer Georgiana, and to other proceedings reported to be on foot in Canada hostile to the United States.

I have to request that you will inform Mr. Seward that the Canadian government is fully alive to the importance of preventing the formation of any plans hostile to the United States on British soil, and has taken stringent measures to that end, both of a civil and military character.

I have, &c., &c.,

MONCK.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

[Communicated by the British Legation.]

Lord Russell to Mr. Burnley.

FOREIGN OFFICE, *December* 24, 1864.

SIR: Her Majesty's government have had under their consideration, in common with the proper law advisers of the Crown, Lord Lyons's despatches of the 25th and 29th ultimo, together with a further representation from Messrs. Lawrence, of which I enclose a copy for your information, respecting the case of the Night Hawk.

Her Majesty's government fully approve of the manner in which Lord Lyons has treated this matter, in his lordship's note to Mr. Seward of the 26th ultimo. It does not appear to them that any ground whatever has been shown by Mr. Seward for ascribing to the Night Hawk the character of an enemy's ship; and having regard to the circumstance that she was destroyed by the boarding officer without so much as examining her papers, her Majesty's government consider that the proofs which have already been given of her British ownership are amply sufficient.

The ship was indeed destroyed in the act of violating the blockade, and as she must necessarily have been condemned if brought in for adjudication, the mere act of her destruction may possibly not have involved any substantial injury to British interests; but the conduct of the boarding officer, and the subsequent imprisonment of the British crew, seems to be wholly without justification or excuse. The captor had no right to fire upon the unresisting crew, and the whole circumstances of the case, instead of affording any exceptional reasons (as Mr. Seward says) for applying to these unfortunate men a different treatment from that admitted to be the right of "the class of neutral subjects in neutral vessels engaged in violating the blockade," appear to her Majesty's government to give to the treatment actually inflicted upon the crew the character of an aggravated breach of international law.

You will read this despatch to Mr. Seward, and give him a copy of it.

I am, &c.,

RUSSELL.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

[Memorandum.]

Relative to the apprehended attempts of persons hostile to the United States from Canada, Viscount Monck informs me that he has taken measures for the prevention of such acts, by the establishment of a detective police force, under special stipendiary magistrates, along the border between Canada and the territory of the United States.

Viscount Monck has also called out for permanent duty a strong force of the volunteer militia, who are to be stationed on the frontier line.

These measures Viscount Monck hopes will effectually prevent any such attempts as those alluded to.

BRITISH LEGATION, *Washington, December* 26, 1864.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 28, 1864.

SIR: With reference to your note of the 20th of October, relative to the British steamer Mary, formerly the Alexandra ram, and her supposed connexion with the so-called confederate government, I have the honor to transmit to you herewith copy of a despatch, and of its enclosures, from the governor of New Providence, stating that he has ordered the seizure of the steamer Mary, for violation of the 7th clause of the foreign enlistment act.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Governor Rawson to Mr. Burnley.

GOVERNMENT HOUSE,
Nassau, December 15, 1864.

SIR: I take the earliest opportunity of informing you that on the 13th instant the British steamer Mary, formerly the Alexandra ram, was seized in this port by my orders, for a violation of the 7th clause of the foreign enlistment act.

Before my arrival here on the 9th instant, the United States consul had called the attention of this government to the existence of guns and munitions of war on board of this vessel, which had lately reached this harbor. A search was made, and nothing was found but a 12-pounder gun, and a case supposed to contain shell. Upon this, the lieutenant governor, acting upon the advice of the attorney general, informed the consul that there was not sufficient ground for detaining the vessel, after this gun and case were landed, which their agents professed their willingness to do.

The consul had at first supposed this search to have been a seizure, and he was much disappointed at this last communication, and protested urgently against it. The attorney general saw him personally, and was not satisfied with the proofs offered, and finally he was informed that the government could not proceed upon conflicting communications made to him by persons who could not be produced in court to support a prosecution. This was the state of the case when I arrived.

I mention what occurred with the consul, in order that you may be cognizant of it, in the event of the American government adverting to it in any communication which it may make to you.

Upon examining the correspondence, and making inquiry of the officer who searched the vessel, I found that there were suspicious facts bearing upon the case which did not appear in the papers. and that certain packages which were shipped at Bermuda had not been opened, nor were their contents known. I therefore directed that they should be landed and opened. The result is shown in enclosure No. 1, which, among other things, proved the continued connexion of the Mary with the Mr. Hamilton, an officer of the Confederate States, whose name was brought forward by the attorney general on the occasion of the trial in England, as one of the proofs against the parties who owned the Alexandra.

Upon the discovery of this further evidence, and receiving the opinion of the attorney general, I ordered the vessel to be seized, and she is now in charge of the customs, moored opposite the ordnance wharf for protection. The attorney general will commence legal proceedings without delay, and I have received a letter from the United States consul thanking me for my proceedings in this case.

I am, &c,. &c.

RAWSON A. RAWSON, *Governor.*

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Dumaresq to Governor Rawson.

RECEIVER GENERAL'S OFFICE,
December 13, 1864—1 p. m.

SIR: I have the honor to report for your lordship's information that this morning, immediately on the landing of the cargo ex. Mary, late Alexandra, I directed all the packages to be opened in my presence, and found the marks, numbers, and contents of each to be as follows:

P. H. One cask containing scrubbing brushes, tin cans, &c.

J. R. ½. Two cases containing iron hammock racks.

J. R. 3. One case containing iron hammock racks and handles for screws of side lights.
O. C. 1. One case containing a gun and carriage, with appurtenances complete, designed by Messrs. Fawcett, Preston & Co., of Liverpool, with flat iron tray or slide for the gear and body of carriage to traverse on. (This gun is the subject of a former report.)
O. C. 2. One case containing shell.
O. C. 3. One case of grape-shot.
J. R. H. 3. One case containing six trap wheels, about six inches in diameter, apparently handles such as are used for working the screw of a gun.
J. R. H. ½. Two cases of stationery.
H. H. 2. One case containing confederate flags, brig, ship, and boat ensigns and pendants, log lines, bolts of canvas, &c.
S. D. H. 2. One case of drugs, lint, &c.
J. R. H. One case (partially examined) of private effects, consisting of military and naval books in relation to the confederate service, having the name of Hamilton on the fly leaves, forty-eight packages of tourniquets, one blank confederate commission, charts, a case of surgical instruments, &c., one bundle of hammocks—about sixty; also two small iron carronades and carriages, belonging to ship.

With reference to the cases marked J. R. 1 to 3, I have respectfully to state that the hammock racks are all of a size, and that I have had one of them placed in the staples on the bulwarks of the Mary, which it exactly fits.

It is my duty further to add, that since the date of my last report of the 7th instant, four new berths have been completed in the after hold, where the gun and carriage above referred to were found, and sixteen additional ones in the forecastle, so that, independent of the after-deck berths for the officers of the ship, she has now thirty-two berths for seamen, besides the sixty hammocks.

I have, &c., &c.,

J. A. DUMARESQ,
Receiver General.

His Excellency Governor RAWSON.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 28, 1864.

SIR: With reference to your note of the 13th December, relative to the alleged manufacture of what is known as "Greek fire," for use in attempts to burn cities of the United States, I have the honor to transmit to you a copy of a despatch which I have received from his excellency the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

QUEBEC, *December* 20, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch and enclosures relative to the alleged manufacture at Windsor of "Greek fire," for use in attempts to burn cities in the United States.

In reply, I have the honor to state that I will take immediate measures to have the truth of this allegation investigated, and should it prove well founded I will adopt such measures as may be within my power to defeat the objects of those engaged in the manufacture.

I have, &c., &c.,

MONCK.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 28, 1864.

SIR: With reference to your note of the 14th instant, relating to suspicions entertained that two vessels in course of construction in Montreal are intended

to be employed for purposes hostile to the United States, I have the honor to transmit to you herewith copy of a despatch which I have received from the governor general of Canada, by which you will perceive that his excellency will cause an investigation to be made.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

QUEBEC, *December* 22, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of the 15th instant, with its enclosures, respecting two vessels now building at Montreal, alleged to be for the naval service of the so-called Confederate States.

In reply, I have the honor to state that I will cause the suspicious circumstances connected with these vessels to be strictly investigated, and will be guided in my actions by the facts which may be elicited.

I may add, that there is no fear of any immediate danger from these vessels, as the navigation of the St. Lawrence is now closed for the season, and it is impossible that these vessels can leave Montreal for the next four or five months.

I have, &c., &c.,

MONCK.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 28, 1864.

SIR: On receipt of your note of the 6th October, in which you requested me to invite the attention of the colonial authorities at Nassau to the alleged fact that vessels were being fitted out at Nassau, New Providence, with a view to operations against the commerce of the United States, I at once transmitted a copy of that note to the lieutenant governor of the Bahamas.

I have now the honor to transmit to you a copy of a despatch which I have received from the administrator of the government at Nassau, by which it appears that no vessels are believed to have been fitted out at Nassau with a view to any such operations as those alluded to.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Governor Nesbitt to Mr. Burnley.

GOVERNMENT HOUSE, NASSAU, *December* 8, 1864.

SIR: I have the honor to acknowledge the receipt, on the 3d instant, of your despatch dated Washington, the 8th of October last, with copy of a note of the 6th of that month, received by you from the Secretary of State of the United States, requesting you to invite the attention of the authorities of this colony to the proceedings of insurgent agents engaged in fitting out vessels at Nassau, New Providence, with a view to piratical operations against the commerce of the United States.

I now forward to you the copy of a communication which, on the receipt of your despatch, I at once made to the receiver general of this colony, together with a copy of that officer's report, by which latter document you will perceive that the receiver general remarks that on the first arrival of several steamers reports were circulated without the slightest foundation

as to their ultimate conversion or appropriation for warlike purposes, such, for instance, as the steamer Hope, referred to in Mr. Seward's note to you, and which steamer has since been captured off Wilmington, with a general cargo on board, by the blockading squadron of the United States, thus effectually disposing of the question of her having been fitted out here as a privateer.

You will perceive in the postscript to my communication to the receiver general of the 3d instant, that I especially called his attention to the steamer Mary, late Alexandra, now in the port of Nassau, with the view of his reporting on the character of that vessel, and, as far as practicable, preventing any violation of her Majesty's proclamation of neutrality.

In concert with the attorney general, I have had the case of the Mary, late Alexandra, under consideration, and it forms the subject of correspondence at present between the United States consul of this port and myself, copies of which correspondence will be forwarded to the secretary of state for the colonies for the information of her Majesty's government.

I have, &c., &c.,

C. NESBITT.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 28, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 13th instant, submitting for consideration a proposition to bring the vessel James Douglas to New York, in order that a settlement may be effected with the owners, and, in reply, to inform you that I have invited the attention of the Secretary of the Navy to the matter.

Accept the assurances of my high consideration.

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 29, 1864.

SIR: I have the honor to acknowledge the receipt of your note of the 22d instant, transmitting, in accordance with instructions received by you from her Majesty's government, copies of Sir Rutherford Alcock's despatches in regard to the events which have recently taken place in Japan. In reply, I have the honor to state that Mr. Pruyn, the United States minister in Japan, has been intrusted with discretion which will enable him to act in harmony with the treaty powers.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 29, 1864.

SIR: I have the honor to acknowledge, with sincere gratification, the receipt of your note of the 24th, which is accompanied by a copy of a despatch of the 17th instant, addressed to you by his excellency the governor general of Canada, in

which, with reference to the case of the steamer Georgian, it is stated that the Canadian government is fully alive to the importance of preventing the formation of any plans hostile to the United States on British soil, and that it has taken stringent measures to that end, both of a civil and military character.

I beg you to convey to his excellency an expression of the high appreciation entertained by this government of the friendly spirit which he has manifested, and of the judicious measures which he has adopted, with a view to the preservation of the neutrality of her Majesty's provinces.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 30, 1864.

SIR: I have the honor to enclose, for the information of her Majesty's government, a copy of depositions which were communicated to me on the 22d instant, relative to the proceedings of Jacob Thompson, an insurgent enemy of the United States in Canada, and to those of one Holcombe and others, in organizing, aiding, and abetting hostile expeditions against the United States. I will thank you to communicate the information to his excellency Viscount Monck, but I must request you to cause the names of the deponents to be regarded as confidential.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 30, 1864.

SIR: On the 19th instant you did me the honor to forward to me certain intercepted correspondence from persons hostile to the United States residing in Canada, and which I communicated without delay to his excellency the governor general of Canada.

His excellency now requests me to state to you that it appears both to himself and to the legal advisers of the Crown in Canada that this correspondence might be made the ground of an indictment against the persons implicated in it if the clue afforded in some of the letters to their identification could be followed up.

Whatever information can be procured on the subject will be gladly received by the governor general, who will lose no time in putting in operation the necessary means for the detention and punishment of persons who have been plotting on Canadian soil against the neutrality of her Majesty's dominions should it be found possible to reach them by legal process.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 31, 1864.

SIR: With reference to my note of the 12th of December, and to previous correspondence on the subject of an alleged military organization in Canada of fugitives from the United States, I have now the honor to transmit to you copies of a note, and of its enclosure, which I have received from the governor general of Canada on this subject.

You will observe that upon the strictest inquiry no traces of such an organization could be discovered.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. McDonald to Mr. Godley.

DEPARTMENT OF ATTORNEY GENERAL FOR UPPER CANADA,
Quebec, December 24, 1864.

SIR: With reference to your letter of the 6th instant, transmitting a copy of a despatch from Lord Lyons, with its enclosure, and of the reply of his excellency the governor general, relative to the organization and drilling in county of Prince Edward of fugitives from the United States, I have the honor to inform you, for the information of his excellency the governor general, that immediately on receipt of your letter a telegraphic despatch was transmitted by me to the county Crown attorney of the county of Prince Edward, desiring his immediate attention to the matter.

I have further to state that that officer immediately proceeded to make inquiries into the allegations made, and that he has since reported that though such inquiries were made in different quarters he can discover no traces of any such organization, and that he feels confident that the county of Prince Edward is free from any such illegal combinations, and that others with whom he has communicated on the subject concur in that opinion.

I have, &c.,

I. A. McDONALD.

D. GODLEY, Esq.

Viscount Monck to Mr. Burnley.

GOVERNMENT HOUSE, *Quebec, December* 26, 1864.

SIR: With reference to your despatch of November 30, on the subject of an alleged military organization in Canada of fugitives from the United States, I have the honor to transmit to you, for the information of the government of the United States, a copy of a letter from Mr. Attorney General McDonald, in which he states the steps that were taken for investigating the matter. You will observe that upon the strictest inquiry no traces of such an organization could be discovered.

I am, &c.,

MONCK.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 31, 1864.

SIR: With reference to my note of the 6th instant, and to previous correspondence relative to the case of the Night Hawk, I would beg to represent to the

attention of the Secretary of the Navy the situation of the captain and officers of this vessel who are still detained as witnesses.

The navy regulations say that when testimony is secured they, the witnesses, are to be unconditionally released, and I would therefore urge whether it might not be advisable to secure such testimony with as little delay as possible and let them go free; otherwise, by long detention, they would appear to be placed on the same footing as regular prisoners of war.

Mr. McArthur, the agent at New York, proposes that they should be liberated on bail, and I would recommend it as coming nearer to the spirit of the instructions of the Navy Department in cases of *bona fide* British subjects captured on board British ships.

Captain Smiley and his officers have been now full three months in close confinement, which, I am convinced, would never meet with the sanction of her Majesty's government, even under the plea of their testimony being necessary.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 31, 1864.

SIR: I have the honor to transmit to you herewith a copy of a general order issued by his excellency the governor general of Canada on the occasion of his sending troops to be stationed along the frontier line between Canada and the United States.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

[From the Canada Gazette of December 24, 1865.]

MILITIA GENERAL ORDERS.

HEADQUARTERS, *Quebec, December* 23, 1864.

VOLUNTEER MILITIA.

GENERAL ORDER.]

1. Referring to the General Order of December 19, his excellency the commander-in-chief is pleased to call out for actual service the following companies of the volunteer force.

2. These companies will be formed into three administrative battalions, which shall be composed, respectively, of the following companies and such others as may be added to each battalion by any further General Order.

WESTERN BATTALION.

No. 1. Company, from 3d battalion volunteer militia rifles, Montreal, Captain J. Bacon.
No. 2. Company, York rifles, Captain Davis.
No. 3. Brockville rifles, Major Crawford.
No. 4. Company, from 8th battalion volunteer militia rifles, Quebec, Captain Alleyn.
No. 5. Brantford rifles, Captain Grant.
No. 6. Belleville rifles, Major Levesconte.

CENTRE BATTALION.

No. 1. Company, from 2d battalion volunteer militia rifles, Toronto, Lieutenant John Brown.
No. 2. Company, from 2d battalion volunteer militia rifles, Captain Charles F. Gilmor.
No. 3. Company, from 14th battalion volunteer militia rifles, Kingston, Major Kelly.
No. 4. Collingwood rifles, Lieutenant Colonel Stephen.

EASTERN BATTALION.

No. 1. Company, Woodstock rifles, Major Richardson.
No. 2. Company, Beachville rifles, Captain Greig.
No. 3. Company, from 8th battalion volunteer militia rifles, Quebec, Lieutenant A. Jackson.
No. 4. Company, from 9th battalion volunteer militia rifles, Quebec, Captain Gingras.
No. 5. Company, 1st Cornwall rifles, Captain Bergen.

FIRST (OR WESTERN) ADMINISTRATIVE BATTALION.

To be lieutenant colonel: Lieutenant Colonel Osborne Smith, commanding Victoria rifles, Montreal.
To be major: Major Augustus Heward, major Victoria rifles, Montreal.
To be adjutant: Lieutenant William H. Hutton, of Victoria rifles, Montreal.

SECOND (OR CENTRE) ADMINISTRATIVE BATTALION.

To be lieutenant colonel: Lieutenant Colonel William Smith Durie, commanding 2d battalion, or "Queen's Own" rifles, Toronto.

THIRD (OR EASTERN) ADMINISTRATIVE BATTALION.

To be lieutenant colonel: Lieutenant Colonel John B. Taylor, commanding battalion Oxford rifles.
To be captain: Lieutenant A. Jackson, adjutant 8th battalion volunteer militia rifles, Quebec.

6. In calling out for actual service this portion of the volunteer force, the commander-in-chief desires to express the gratification he has experienced at the numerous offers of service he has received from volunteer companies all through the province, as soon as it became known that men were required for permanent duty.

7. The commander-in-chief desires to impress upon the officers, non-commissioned officers, and men of the force called out for duty, that they are imbodied not for the purpose of warfare, but with the object of aiding the civil power in its efforts to prevent aggression on the territories of a friendly state on the part of persons enjoying the right of asylum in her Majesty's dominions, and to maintain, as regards Canada, that complete neutrality with respect to the war now existing in the United States which her Majesty has enjoined on all her subjects.

8. With these objects in view, it will be the duty of all officers commanding detachments on the frontier to take special care that the territorial rights of the government of the United States shall be carefully respected, and that no infringement by the men under their command shall under any circumstances take place of such regulations for the security of their borders as may be made from time to time by that government.

9. It will be the duty of officers, should suspicious circumstances be brought under their observation, immediately to report any such to the civil authorities, and to place themselves under their guidance.

By command of his excellency the right honorable the governor general and commander-in-chief:

A. DE SALABERRY,
Lieutenant Colonel, Deputy Adjutant General of Militia, Lower Canada.
WALKER POWELL,
Lieutenant Colonel, Deputy Adjutant General of Militia, Upper Canada.

Mr. Burnley to Mr. Seward.

WASHINGTON, *December* 31, 1864.

SIR: With reference to your note of the 13th December, enclosing, for the information of the governor general of Canada, a copy of a letter from the War Department in regard to the alleged manufacture of what is known as "Greek fire," for use in attempts to burn cities in the United States, I have now the honor to enclose copies of a despatch and of its enclosure, which I have received from his excellency the governor general of Canada, to whom I had forwarded copies of your communication.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

GOVERNMENT HOUSE, QUEBEC, *December* 26, 1864.

SIR: With reference to your despatch, of the 14th instant, on the subject of the alleged manufacture, in Canada, of "Greek fire," for the purpose of burning cities in the United States, I have the honor to transmit to you, for the information of the United States government, a copy of the letter of the attorney general for Canada West, showing the measures that have been taken in order to obtain evidence in the matter.

I have, &c.,

MONCK.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. McDonald to Mr. Godley.

DEPARTMENT OF ATTORNEY GENERAL FOR UPPER CANADA,
Quebec, December 23, 1864.

SIR: I have the honor to acknowledge the receipt of a despatch from J. H. Burnley, esq., containing copy of a note and its enclosures, from the Secretary of State of the United States, relative to the alleged manufacture of what is known as "Greek fire" for use and attempts to burn cities in the United States.

I have, in reply, to inform you that I have caused the county Crown attorney, at Windsor, and G. McMicken, esq., the newly-appointed stipendiary magistrate on the frontier, to be informed, by private letter, of the statements made in the letter of Lieutenant Colonel Hill, commanding the district of Michigan, with instructions to them to endeavor to obtain evidence of the alleged manufacture of Greek fire, and for that purpose, if necessary, to communicate confidentially with Colonel Hill.

I have, &c.,

T. J. McDONALD.

DAVIS GODLEY, Esq.,
Secretary for Governor General, &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 31, 1864.

SIR: I have the honor to acknowledge the receipt of your note of yesterday, communicating to me the suggestions kindly made by his excellency Vis-

count Monck, with a view to the detention and punishment of persons who have been plotting on Canadian soil against the neutrality of her Majesty's dominions; and, in reply, to inform you that they are under consideration.

I must beg you to assure his excellency that the spirit which he has manifested in the matter is cordially appreciated by this government.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD

J. HUME BURNLEY, Esq, &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 31, 1864.

SIR: I have the honor to acknowledge the receipt of your communication of the 28th instant, informing me of the seizure of the steamer Mary, by the authorities at New Providence, for a violation of the foreign enlistment act of Great Britain; and, in reply, to acquaint you that I have also been advised of the fact by the consul of the United States at Nassau, and have authorized Mr. Adams to express satisfaction to her Majesty's government, on the part of that of the United States, with the prompt action which has been adopted in this case. It is hoped that it may be a beginning of successes in arresting piratical operations injurious to both countries.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 31, 1864.

SIR: It has given me great satisfaction to receive your communication of the 28th instant in regard to the reported manufacture of what is known as "Greek fire" for use in attempts to burn cities of the United States.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 31, 1864.

SIR: I have the honor to acknowledge the receipt of your communication of the 6th instant, requesting that the Secretary of the Navy may take into serious consideration the proofs which you offer of the neutrality of the Night Hawk,

and, in reply, to inform you that I have invited his attention to a copy of your note and the original register of the vessel, with the request that he may return the register after having considered its contents.

Accept, sir, the renewed assurance of my high consideration.

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, December 31, 1864.

SIR: I have the honor to acknowledge the receipt of your communication of the 28th instant, relative to the alleged fitting out, at Nassau, of vessels intended to be used in depredating on the commerce of the United States.

I give you my thanks for your kind attention to the subject.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 3, 1865.

SIR: I have the honor to acknowledge with sincere gratification the receipt of your note of the 31st ultimo, which is accompanied by a general order issued by his excellency the governor general of Canada, having for its object the maintenance of neutrality between the British Provinces and the United States. I hope that the recent scenes so painfully affecting the relations between the two countries may be prevented from recurring.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 3, 1865.

SIR: With reference to your note of the 21st ultimo, relative to the alleged organization formed in Halifax for seizing United States ships on the lakes, situated between the United States and Canada, and at different points along the Atlantic and Pacific coasts, I have the honor to transmit to you a copy of a note which I have received from his excellency the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

GOVERNMENT HOUSE, *Quebec, December* 28, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch and enclosure of the 1st instant, respecting the alleged organization at Halifax, Nova Scotia, of a body of men, for predatory attacks on the commercial shipping of the citizens of the United States.

In reply, I beg leave to assure you, for the information of the Secretary of State of the United States, that the government of Canada will use every means in their power to prevent the execution of any such plans within the bounds of this province.

I have, &c., &c.,

MONCK.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 3, 1865.

SIR: Her Majesty's government have taken into their most serious consideration the various occurrences which have taken place in connexion with the recent attack on St. Alban's, Vermont, and I am now commanded to communicate to you the general tenor of the instructions addressed to the governor-general of Canada by her Majesty's secretary of state for the colonial department, as laid down in a despatch forwarded to his excellency on the 3d ultimo, which I do myself the honor of enclosing.

With regard to the depositions taken in the case of the late attack and referred to the law officers of the Crown, Viscount Monck has been instructed, under date of the 9th and 16th ultimo, to be guided by the decision of the proper legal authorities in Canada whether the persons in custody ought or ought not to be delivered up under the treaty of extradition. If that decision shall have been that they ought, her Majesty's government would entirely approve of Viscount Monck's acting upon this decision; but if, on the contrary, the decision shall have been that they ought not, her Majesty's government consider that the opinion of Viscount Monck's legal advisers should be taken, whether, upon the evidence and other information in the possession of the Canadian government, these persons may not properly be put upon their trial on a charge of misprision and violation of the royal perogative by levying war from her Majesty's dominions against a friendly power.

Unless the Canadian law officers should see reason to the contrary, her Majesty's government direct that Viscount Monck should, in the case supposed, retain the prisoners in custody and bring them to trial for that offence.

Her Majesty's government further consider that such a decision of the legal authorities of Canada would furnish a strong argument for the expediency of arming the Canadian government as promptly as possible with such additional legal powers as are referred to in the despatch of the 3d ultimo.

Throughout the whole of these unfortunate occurrences Viscount Monck's conduct has been entirely approved of, and her Majesty's government rely with confidence on his having used and continuing to use all the powers at his disposal to prevent the successful execution of whatever schemes may be planned against the neighboring friendly soil of the United States.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Cardwell to Viscount Monck.

DOWNING STREET, *December* 3, 1864.

MY LORD: The attention of her Majesty's government has been directed to the violations of British neutrality, of which certain persons have been guilty who profess to hold commissions from, or to act in aid of, the so-called Confederate States, and who make the soil of Canada the scene of their hostile preparations against the United States.

These violations of neutrality are a great offence against the British Crown, and her Majesty's government are of opinion that the government of the United States have a clear right to expect that the Canadian law shall be found in practice generally sufficient not merely for the punishment, but also for the suppression and prevention of these border raids.

The Secretary of State of the United States has reminded Earl Russell of the act which was passed by Congress in the year 1838 for the suppression and prevention of hostile attempts prepared in the territory of the United States and directed against the government of her Majesty in Canada. The circumstances of the two cases are not the same, and it does not appear to her Majesty's government to follow that precisely the same enactment which the Congress passed in 1838 is necessarily suited to the present case. They have observed with pleasure the promptitude and vigor with which you have put in force the existing law, but would wish you to consult your advisers and obtain the opinion of your law officers whether that law places in your hands sufficient available powers for the effectual suppression and prevention of these raids, or whether it is necessary for you to apply to your legislature for increased powers. In this latter case, any power for which your lordship should apply might naturally be limited, as the powers of the act of Congress were limited to a definite term with a view to meeting the immediate exigency only.

I have, &c., E. CARDWELL.

His Excellency VISCOUNT MONCK, *&c., &c., &c.*

Mr. F. W. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 4, 1865.

SIR: I have the honor to acknowledge the receipt of your communication so the 31st ultimo, relative to an alleged military organization in Canada of fugitive from the United States. In reply, I have the honor to state that the efforts which were made by her Majesty's authorities to ascertain the truth in regard to the representations on the subject are very gratifying to this government. It is hoped that the result may prove the conclusion arrived at by those authorities to be well founded.

I have the honor to be, with high consideration, sir, your obedient servant,

F. W. SEWARD, *Acting Secretary.*

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. F. W. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 4, 1865.

SIR: I have the honor to acknowledge, with much satisfaction, the receipt of your note of the 28th ultimo, transmitting a copy of a despatch addressed to you by the governor general of Canada, from which it appears that his excellency will cause an investigation to be made in regard to the supposed employment,

for purposes hostile to the United States, of two vessels now in course of construction at Montreal.

I have the honor to be, with high consideration, sir, your obedient servant,

F. W. SEWARD, *Acting Secretary.*

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Furnley.

DEPARTMENT OF STATE,
Washington, January 6, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 31st ultimo, suggesting that the captain and officers of the Night Hawk, who are still detained as witnesses, may be liberated on bail. In reply, I have the honor to inform you that I have submitted a copy of that note to the favorable attention of the Secretary of the Navy.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM. H. SEWARD.

J. HUME BURNLEY, Esq, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 6, 1865.

SIR: Referring to your communication of the 26th of November last, so far as it relates to the capture and destruction of the steamer Night Hawk, and to the treatment of her crew at the time of her capture, and while they were on board the Niphon, I have the honor to enclose a copy of the record of the proceedings of a naval court of inquiry held at Boston, Massachusetts, for the purpose of investigating the matter.

Upon examination of the circumstances of the case as they are disclosed in those proceedings, it is considered that they involve no ground of complaint against this government or its naval officers.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

[NOTE.—The report above referred to is on file in the Navy Department.]

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 7, 1865.

SIR: With reference to your note of the 19th ultimo, which you did me the honor to address to me, respecting the extradition of the St. Albans raiders, with a view to its being communicated to his excellency the lieutenant governor of New Brunswick, I would beg leave to lay before you copy of a despatch which I have received in reply from his excellency as to the necessity of some more convincing evidence being brought forward than what your simple note of requisition contained, before the parties can be fairly brought to trial, should

they be within the lieutenant governor's jurisdiction, which appears not to be the case at present.

In view of the re-arrest of most if not all of the raiders, I would leave it to you to decide whether it is necessary to act upon the suggestions of his excellency.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Gordon to Mr. Burnley.

FREDERICTON, *December* 29, 1864.

SIR: I have had the honor this morning to receive your despatch of the 20th instant, enclosing a copy of a note from the Secretary of State of the United States, requesting the extradition of certain parties therein named.

Requisitions under the provisions of the Ashburton treaty for the surrender of criminals who had taken refuge in this province have hitherto been invariably made directly to the lieutenant governor of the province, through the United States consul at St. John's, or the governor of the State in which the offence was committed; and with a view to securing the object desired, I should venture to recommend that the precedents in this respect should be adhered to, as it is far from impossible that the note of the Secretary of State might be considered in our courts of law as not a formal requisition under the treaty. I do not myself share this opinion, and should be ready to issue my warrant on the notification received by you, but in such cases it is as well to take no steps by which, if taken, the subsequent proceedings may incur a risk of being vitiated.

A copy of the opinion of the law officers of the Crown in England, dated January 27, 1864, was no doubt forwarded to her Majesty's mission at Washington; but to prevent all possibility of misconception, I annex extracts from that opinion which seems to throw some doubt upon the propriety of my issuing such a warrant without evidence being adduced of the commission of the offence of the parties and of their being now within this province, and which show the absolute necessity for the production of such evidence before a magistrate can commit the parties to jail for extradition.

As, however, the case now under consideration is one the main facts of which are matter of notoriety, I am prepared to issue my warrant on the receipt from you of a telegraphic intimation that the evidence which will be required by the committing magistrate is about to be forwarded, together with the reasons which induce Mr. Seward to believe that the parties are now in this province.

I must, however, point out the entire inutility of my issuing my warrant or of attempting to arrest the parties (if in New Brunswick) until I have been placed in possession of evidence to adduce against them. At the present moment any magistrate before whom they might be brought must inevitably order their discharge. He would call on whatever counsel may be intrusted with the prosecution of the case for evidence such as would be required to enable him to commit for trial had the offence been committed within his own jurisdiction. But none such could be offered, as, except the statement of Mr. Seward's note, not even any *prima facia* evidence is adduced as to the connexion of the parties named with the offence committed, and they would necessarily be at once set at liberty.

It is provided that copies of the depositions originally taken may in such cases be received as evidence; and if I learn that such documents have been forwarded, or are on the point of being forwarded, I will at once take whatever steps are in my power for bringing the alleged criminals to justice.

I may remark, however, that I have received no information which leads me to believe that the parties named are in this province; but I have to request that you will inform Mr. Seward that I have given stringent directions to the police to ascertain whether such is the case, and in the event of the discovery of any of these individuals, to maintain a careful watch upon them until I am in a position to proceed against them with more probability of effecting their extradition than is now the case.

I have, &c.,

ARTHUR H. GORDON.

J. H. BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 9, 1865.

SIR: Referring to the correspondence which has taken place between us in regard to the detention of persons taken on board of the Night Hawk, I have the honor to inform you that, as the registry of the vessel proved her British ownership, I have recommended their release, notwithstanding the fact that she was engaged in supplying the insurgents with contraband of war. The certified copy of the register which accompanied your note of 6th instant is now returned.

I have the honor to be, with the highest consideration, sir, your obedient servant.

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 10, 1865.

SIR: I have the honor to acknowledge with much satisfaction the receipt of your communication of the 3d instant, in regard to the readiness of the Canadian authorities to prevent the consummation of the hostile intentions of a certain body of men at Halifax, which formed the subject of my note of the 21st ultimo.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 10, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 17th ultimo, communicating to me, under the instruction of her Britannic Majesty's government, a copy of a despatch of the 26th of November last, addressed by Earl Russell to Lord Lyons, in regard to the notice given by this government for the termination of the existing conventional arrangement between Great Britain and the United States, limiting the naval force of the respective governments on the lakes, and to the reasons which prompted that notice.

The views and suggestions which Earl Russell has thus presented to this government will receive an attentive consideration.

I have the honor to be, with the highest regard, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 10, 1865.

SIR: Referring to my note of the 6th instant, transmitting to you a copy of the proceedings of a naval court of inquiry to the conduct of Acting Ensign Lemon on the occasion of the capture and destruction of the Night Hawk, I

have now the honor to state that on the 31st ultimo the Secretary of the Navy informed me that as some weight appeared to have been given to an alleged conversation between Captain Glisson, of the Santiago de Cuba, and the master of the Night Hawk, in which the former is said to have condemned the conduct of Acting Ensign Lemon, the Navy Department considered it necessary to call upon Captain Glisson for an explanation, and that he had replied substantially as follows:

"Acting Ensign Lemon was reported to me by the captain and engineer of the Night Hawk as having struck the engineer, and I remarked to them that neither the government nor myself would allow any one to be improperly treated unless they resisted the authority of the officers, and immediately sent for Mr. Lemon, who stated that when he boarded the Night Hawk, after ordering the officers into the boat, the engineer came up to him and said that he would not go until he got his clothes, and appeared to resist his authority. He then struck him on the head, and afterwards he got into the boat.

"I did not disapprove of Mr. Lemon's course on learning the above facts."

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 10, 1865.

SIR: Her Majesty's government have had under their consideration, in communication with the proper law advisers of the Crown, the note which you did me the honor to communicate to me on the 5th of November last, respecting the case of Mr. Hardcastle, who was shot by a sentry in the Old Capitol prison, and it seems right and proper to state to you the final opinion of her Majesty's government on this question as expressed in a despatch recently received from her Majesty's principal secretary of state for foreign affairs.

Her Majesty's government consider that the answer of the United States government and of their Judge Advocate General does not in the slightest degree alter the opinion entertained by them, as set forth in previous correspondence on this subject.

In that correspondence the principles of international law, applicable to the facts of this case, are given at some length, and her Majesty's government think that no advantage would result from a recapitulation of their former arguments.

The pretence that the word "safe-conduct" was used in a popular sense in the first instance, and the attempt to maintain that the safe-conduct extended only to the passage *between* the lines of the enemy, indicate the determination of the United States government to avoid granting that compensation which it appears to her Majesty's government international justice as well as comity demand at their hands, to the relations of this much injured man, whom, without the slightest evidence, except the allegations of his jailer, as to conversations with him in prison, (which the dead man cannot contradict,) the Judge Advocate General of the United States persists in calling "a most active and dangerous enemy; an avowed enemy to the United States, and a person whose hostility and treachery had caused him to forfeit all claim to the privileges of neutrality." Her Majesty's government cannot forbear pointing out the practical commentary upon some of the circumstances of this case which is contained in a publication recently issued and circulated by authority in the United States with reference to the treatment of United States prisoners by the government of the so-styled Confederate States.

In this publication, which is entitled "Narrative of privations and sufferings of United States officers and soldiers, while prisoners of war, in the hands of the rebel authorities; being the report of a commission of inquiry appointed by the United States Sanitary Commission, with an appendix containing the testimony," among other alleged cruel practices, that of shooting United States prisoners for appearing at the windows of their prisons is mentioned. At pages 83, 84, the following passages occur:

"The cruel and unusual rule by which an approach to the windows from inadvertence, or for the most innocent purpose, is made death in the confederate prisons, is, it need hardly be said, unknown at Fort Delaware. It is hardly worth while to consider whether any were shot (*i. e.* in Delaware) for looking out of the windows. No such order was ever given in this or any United States station."

And at page 197 there is a letter from Quartermaster General Meigs, of the United States army, dated July 6, 1864, which contains the following passage:

"The Commissary General of Prisoners informs me that he has heard of no orders to shoot prisoners for being at the windows or near them; and he does not believe that orders of that character have anywhere been given; he has heard of no prisoners being shot, under such circumstances."

It is sufficient to bring into mere juxtaposition with these passages the concluding sentence of Captain Nix's report (25th May, 1863) to General Martindale of the circumstances of Mr. Hardcastle's death, on the very day of its occurrence, which took place, it will be remembered, in the Carroll prison, at Washington, the capital of the United States.

"The instructions," he says, "to the sentinel guarding the outer wall of the prison are that they shall warn all prisoners to keep their heads within the windows, and if they persist in disobeying, to fire their pieces."

These in the last report of the Judge Advocate General upon the case, dated the 28th of October, 1864, are called "the salutary regulations of the prison."

Her Majesty's government cannot but think the last reply of the United States government entirely unsatisfactory, and containing no substantial answer whatever to the reasons upon which the claim for compensation was founded, and I am consequently instructed that this claim will not be abandoned by her Majesty's government, but reserved.

I have the honor to be, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 11, 1865

SIR: Your note of the 21st ultimo, stating that her Britannic Majesty is desirous of nominating Lieutenant Pearson, of the United States navy, a companion of the Military Division of the Order of the Bath, as a recognition of his ready co-operation with the combined forces of Great Britain, France, the Netherlands, and the United States, in their recent operations in the straits of Simonoskai, in Japan, expressing the hope that the President will be pleased to allow that officer to accept the honor, having been referred to the Secretary of the Navy, Mr. Welles remarks, in reply, that the Constitution of the United States forbids any officer in their service from accepting an honor of the character referred to without the consent of Congress; that although the Navy Department and Lieutenant Pearson himself cannot fail to be gratified by the favorable opinion

expressed of his professional services on the occasion referred to, by so distinguished and experienced an officer as Vice-Admiral Sir A. L. Kuper, yet, as, upon due consideration, it has not been deemed advisable to recommend the promotion of Lieutenant Pearson by his own government, the President would prefer to decline at present making any application to Congress on the subject.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 12, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant, together with a copy of a despatch from the lieutenant governor of New Brunswick, in reply to my communication of the 16th ultimo to you, respecting the extradition of the St. Albans raiders, a copy of which you were pleased to submit to his excellency. In reply, I have the honor to state that the requisition under the treaty for fugitives from the United States in the British provinces is always in the form of a note from this department to her Majesty's legation. The object and effect of this are merely a notice to the executive authorities of the provinces, that when the fugitives claimed shall have been judicially prosecuted under either the act of the imperial Parliament, or under any provincial act for carrying the treaty into effect, and the proper magistrate shall certify to the executive authority that there is sufficient cause for the surrender of the fugitive, the surrender may be made accordingly. Nothing more has been expected in the cases of the St. Albans raiders, who are supposed to be skulking in the province of New Brunswick.

It is the duty of this government to apply to the proper authorities there for their arrest and examination, and to furnish proof that they are subject to extradition, according to the treaty.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 14, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 31st ultimo, informing me of the measures adopted by the governor general of Canada to prevent the manufacture in that province of "Greek fire," to be used by the insurgents in their attempts to burn the northern cities of the United States, and in reply to express my satisfaction with the action of Viscount Monck in the matter.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 14, 1865.

SIR: I have the honor to state, for the information of the proper authorities of her Majesty's government, that a reliable representation has been made to this department to the effect that the men of the late piratical steamer Florida, who went to Europe after the seizure of that vessel, have been ordered to rendezvous at Calais immediately, to join the pirate Shenandoah, lately called the Sea King; that the Shenandoah will be found in the neighborhood of Bermuda; that the men will go to that place, and be put on board by a blockade runner; and that the Shenandoah has only forty-three men on board, of whom not more that ten are sailors.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 16, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 3d instant, communicating to me a copy of the instructions of the 3d ultimo, addressed to the governor general of Canada by her Majesty's secretary of state for the colonial department, in regard to the extradition of the St. Albans felons, and informing me that the proceedings of Viscount Monck throughout the whole of the unfortunate occurrences growing out of their depredations have been approved by her Majesty's government. Thanking you for the information thus imparted, I have the honor to inform you that it will be taken into consideration.

I have the honor to be, with the highest regard, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 17, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, and to inform you, in reply, that copies of it shall be forwarded to her Majesty's government and to the lieutenant governor of Bermuda.

I have the honer to be, with the highest respect, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 17, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 14th instant, and to inform you, in reply, that copies of it shall be forwarded to her Majesty's government and to the lieutenant governor of Bermuda.

I have the honor to be, with the highest respect, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 18, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 10th instant, informing me, at the instance of Earl Russell, that the answer of this government in regard to the case of Hardcastle was entirely unsatisfactory to that of her Majesty's, and that her Majesty's government reserve and do not abandon their claim to compensation for the death of that person. In reply, I have the honor to inform you that it will receive my attention.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 18, 1865.

SIR: Referring to your note of the 9th ultimo, requesting, at the instance of the owners of the Labuan, information concerning the progress made in the trial of the case, I have the honor to inform you, in reply, that in a letter of the 14th ultimo the United States district attorney states that he has made every effort to procure a speedy and final disposition of the whole matter by the court upon the testimony already on file, and that the attorneys representing the charterers of the Labuan, whose claim for damages is much larger than that of the owners of the vessel itself, have not co-operated with him to that end, and that the proceedings were delayed for their convenience.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J HUME BURNLEY, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 19, 1865.

MY DEAR SIR: I give you, herewith, for your information, a copy of a despatch which, on the 16th instant, I addressed to Mr. Adams at London.*

Believe me to be, my dear sir, very faithfully yours,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 19, 1865.

SIR: Referring to your note of the 6th ultimo, and to previous correspondence between her Majesty's legation and this department, relative to the alleged improper detention of the crew of the Night Hawk in prison, I have the honor

* See despatch No. 1237 to Mr. Adams current series.

to inform you that the Secretary of the Navy, in a letter of the 17th instant, states that orders for the release of the officers of the Night Hawk were given on the 14th instant.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 19, 1865.

SIR: Referring to your note of the 13th instant, in which you propose that the James Douglas may be brought to New York and there regularly appraised and a settlement made with the owners, I have the honor to enclose, in reply, a copy of a letter of the 31st ultimo from the Secretary of the Navy.

I have the honor to be, with the highest consideration, sir, your most obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT, *December* 31, 1864.

SIR: I have had the honor to receive your letter of the 28th instant, enclosing a copy of a note from J. Hume Burnley, esquire, in relation to the schooner James Douglas.

The department has neither asserted any claims to the vessel in question, nor is aware that it has incurred any liability in relation to it. It came accidentally into the possession of officers of the navy, having been found abandoned at sea. The question of salvage is entirely between the individual salvors and the owner or owners. If the navy has had the use of the vessel, it has had the trouble and expense of taking care of it; but it declines to incur the expense of having the vessel towed to New York. It would be pleased, under the circumstances, to have the vessel taken off its hands as early as practicable, and can assume no responsibility for its safe-keeping.

I am, respectfully, your obedient servant,

GIDEON WELLES,
Secretary of the Navy.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 20, 1865.

SIR: I have the honor to enclose copy of a despatch from the lieutenant governor of New Brunswick on the subject of the new passport regulations, to which I invite your attention. A glance at the map of New Brunswick will enable you the better to appreciate the remarks of Mr. Gordon.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Gordon to Mr. Burnley.

FREDERICTON, N. B., *January* 12, 1865.

SIR: I have the honor to acknowledge the receipt to-day of your despatch of the 4th instant, relative to the intention of the United States government to require from travellers entering that country passports furnished by competent authority and countersigned by a diplomatic or consular agent of the United States.

I have to request that you will have the goodness to ask the Secretary of State of the United States what course it is intended to follow with respect to persons living at considerable distances from the residence of any consular agents of the United States. For instance, it is my intention to establish an agency for passports at the town of Woodstock. Is it intended that any person residing in Woodstock, and desirous of visiting the neighboring town of Moulton, in the United States, should, after providing himself with my passport, proceed, in the first instance, to St. John (a journey, including the return to Woodstock, of three or four hundred miles) to obtain the visa of the United States consul, in order to enable him to cross the frontier? This is by no means an idle question, for the intercourse between the towns referred to is considerable, and the same may be said with regard to other points on the frontier. It would seem reasonable that in such cases, by an arrangement not unusual in Europe, an officer of the United States at the town first reached after crossing the frontier might be permitted to give the requisite visa.

But without suggesting the steps which the United States government may think proper to take in consequence, it is right that I should state that the strict requirement of the counter signature of the consul at St. John to every passport issued by me will practically put an end to the intercourse at present happily prevailing between the citizens of the two States along the boundary lines—a result which I should greatly deplore, and which would, I doubt not, also be regretted by the United States government.

I have, &c.,

ARTHUR H. GORDON.

J. H. BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 21, 1865.

SIR: I have the honor to acquaint you, for the information of the Canadian authorities, that it has been represented to this department, from a credible source, that enemies of the United States lurking in Canada are preparing to make a formidable incursion into the territory of the United States for the purpose of committing depredations at Burlington, in Vermont, and White Hall, in New York, while Lake Champlain shall remain frozen over, and to destroy the shipping in the harbors of those ports; that their plans are matured, and that the reason they have not already attempted their execution was the re-arrest of the St. Albans felons, which induced them to postpone the movement until the decision of the court in the case of those felons can be ascertained.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 23, 1865.

SIR: Information, which is believed to be reliable, has reached this department to the effect that a plan has been formed for the piratical seizure of American steamships plying between various ports on the Pacific coast of this continent; that it is proposed to effect this nefarious design by means of small but swift iron steamers armed with one gun; that they will be concealed in some of

the many small bays and inlets abounding on the coast from the Gulf of Fonseca to San José, in Costa Rica; that two of these vessels are now on the way, or have arrived at St. Thomas from England in pieces; that they will be put together at St. Thomas or at Georgetown, Demerara, run down the coast, around Cape Horn, with the ostensible intention of plying around the Chincha islands; that the officers and prize crew will sail from New York to Havana, reporting there to Mr. Charles Helm, thence to St. Thomas, where a person named Andrews manages affairs, or did formerly. At a concerted time they will proceed to the Pacific shore of Costa Rica to meet the vessels and enter upon their piratical career. I will thank you to inform her Majesty's government of these proceedings, and to notify the authorities of Demerara and of other British colonies in that quarter of these projected violations of British neutrality, in order that prompt measures may be adopted for their prevention.

I have the honor to be, with the highest consideration, sir, your obedient servant.

WILLIAM H. SEWARD.

J. Hume Burnley, Esq., *&c., &c., &c.*

Mr Burnley to Mr. Seward.

Washington, *January* 23, 1865.

Sir: Of the vast amounts of cotton captured by General Sherman at Savannah, I am told that some ten thousand bales are the *bona fide* property of British subjects residing there and in England.

Mr. Sergeant, a medical gentleman resident at Savannah, called upon me yesterday and consulted with me upon the subject, placing in my hands various papers, which he had been deputed to hand over to me, of one of which I enclose a copy, as representing the actual state of the case. Mr. Sergeant informed me that the federal authorities contemplated sending the whole of this cotton to New York for sale, the proceeds to be remitted to the United States treasury, and the owners to establish their claims before the courts.

As it appears to have been purchased during the year 1860 and 1861, and was intended for shipment for England upon the reopening of commerce, now happily not far distant, I would hope that pending an investigation of the claims it may be allowed to remain stored in Savannah, as the federal government have now a firm hold on the place, and there can be no question of its recapture, considering the important federal successes recently achieved.

To the end, however, of establishing the rightful claims of the owners, I would propose to despatch an agent there, with the sanction of yourself, who would be deputed to place himself in communication with any authorized agent of the United States government, in order that it may be clearly and satisfactorily proved that such cotton belongs to *bona fide* neutral British merchants.

It is of the very utmost importance that this vast amount of cotton, if shown to be British property, and acquired in a legitimate way, should not be lost to its original owners, under any circumstances; and in the interests of the British subjects concerned, I feel bound to protest beforehand against any acts which in the hurry of military preparations may tend to obliterate or invalidate any just claims upon the captured property.

Awaiting an answer at your earliest convenience, I have the honor to be, with the highest consideration, sir, your most obedient, humble servant.

J. HUME BURNLEY.

Hon. William H. Seward, *&c., &c., &c.*

Mr. Green to Mr. Barclay.

SAVANNAH, *Georgia, January* 16, 1865.

SIR: The seizure of the stocks of cotton in this place may now be said to be completed, by the presence of Mr. Collector Draper, of New York, to whom General Sherman is transferring the property.

In a written application to the officers named in enclosed "special notice," I stated that as the cotton held by and belonging to me was of the crops of 1860–61, the bales were in many cases in need of repair and re-marking, the planters' brands having become indistinct, and I asked permission to make the repairs and marks. The reply was that I might put what repairs on the bales I pleased, prior to shipment, but that *no re-marking or putting private marks on the bales would be permitted.*

His excellency Lord Lyons has already been asked by the British members of the Chamber of Commerce of this city to apply to the United States government to stay the shipment of cotton being British property. If this cannot be done, will you solicit his excellency to request on behalf of British subjects—

1. That they may be allowed to put private marks on their cotton prior to shipment by the Treasury Department.

2. That receipts in original and duplicate may be given to British owners, reciting—

1. The private marks of the cotton. 1. The number of bales and description of the cotton, whether upland or sea island; and, 1. The name of the vessel by which the cotton is taken away.

His lordship's early attention to this may avert very great losses, and in some instances ruin, to British subjects in Georgia.

I am, &c.,

CHARLES GREEN.

ANTHONY BARCLAY, Esq.,
Depositary of the papers of the British consulate.

Unable to obtain the advantage of Mr. Barclay's attention to this communication to-day, and the necessity for prompt action being imminent, Mr. Green takes the liberty of forwarding to Lord Lyons himself. The mails only go to New York weekly.

Special Notice.

OFFICE CHIEF QUARTERMASTER DEPOT,
Savannah, Georgia, January 6, 1865.

All persons having cotton in their possession now stored in this city are hereby notified to call at this office forthwith and register the same, stating the amount, where stored, and by whom owned.

By order of Brigadier General L. C. Easton, chief quartermaster.

GEORGE B. CADWALLADER,
Captain and Assistant Quartermaster, Chief Quartermaster Depot.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 24, 1865.

SIR: With reference to my note of the 28th December last, informing you that the Mary had been seized in the port of Nassau by orders of the lieutenant governor, for an infringement of the British foreign enlistment act, I have now the honor to enclose copy of a despatch which I have received from Mr. Rawson, acquainting me with the action taken with regard to the solicitor general of this colony, who it appears had been retained and was acting for the defendants in the matter.

The course pursued by the lieutenant governor seems to me to have been an eminently wise and sensible one, as showing a proper appreciation as to how English law should be administered, coupled with a friendliness of expression towards the government of this country which it gives me much pleasure to communicate to you.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Rawson to Mr. Burnley.

[Extract.]

GOVERNMENT HOUSE, *Nassau, January* 14, 1865.

SIR: I deem it advisable that you should be made acquainted with the fact, that in consequence of my having become aware that Mr. Solicitor General Burnside had been retained and was acting for the defendants in the matter of the steamer Mary, seized by my orders in this port, of which you have already received notice, I immediately required that gentleman to resign his brief or his office.

2. Mr. Burnside pleaded his right to act against the Crown, under a general license which he possesses in all cases in which the attorney general does not require his services. But I informed him that this was not a case contemplated in his general license; that although his services were not required to assist in the prosecution, it was not fitting that he should appear against the Crown, and the United States government, which is interested in the due enforcement of the foreign enlistment act in this case, would learn with surprise, and might complain with reason, that while one law officer was enforcing the provisions of the act, another was engaged in opposition to him, and it would be difficult to convince them that this was not with the consent or approval of this government.

3. Mr. Burnside, in consequence, elected to resign his office. * * * *

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 24, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 23d instant, which relates to claims of British subjects upon cotton seized by the military forces of the United States at Savannah.

In that communication you inform me that ten thousand bales of the cotton referred to are affected by these claims. That these ten thousand bales seem to have been purchased during the years 1860 and 1861, and to have been intended to be shipped to England upon the reopening of commerce.

Upon these statements you ask that the cotton in question may be left in Savannah, that you may have leave to send an agent to that garrison who would be deputed to place himself in correspondence with any authorized agent of this government, in order that it may be clearly and satisfactorily provided that such cotton belongs to *bona fide* neutral British merchants. You add a protest against any acts which in the hurry of military preparations may tend to obliterate or invalidate any just claims upon the captured property.

I have the honor to reply that due consideration has been given to this representation, and that it does not appear to this government that there exists any sufficient reason for departing in this instance from the course which this government pursues, in securing property in the insurrectionary districts, and ascertaining and liquidating any claims of lawful owners thereupon, by judicial investigation. This government does not think that there is any good reason to apprehend that any act will be done in the hurry of military operations which would tend to obliterate or invalidate any just claims upon the captured property which may exist and which the executive department of this government is not authorized to prejudge.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 25, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 20th instant, which is accompanied by a copy of a despatch from the lieutenant gov-

ernor of New Brunswick on the subject of the recent passport regulations of this government. With regard to the inconveniences to which persons residing in the provinces are subjected, as mentioned by Mr. Gordon, I have the honor to state, in reply, that the disadvantages arising from the observance of the regulations referred to result from the limitation of the number of United States consuls in the British provinces, which was insisted upon by her Britannic Majesty's government, and I regret to add that the inconvenience does not admit of remedy by the government of the United States.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 25, 1865.

SIR: Referring to my note to Lord Lyons of the 20th of December, 1863, requesting through his lordship that, in virtue of the provisions of the treaty stipulations on the subject, her Majesty's government would issue the necessary warrant for the delivery of John C. Braine, H. A. Parr, John Parker Locke, David Collins, George Robinson, John Wade, and others, charged with the commission of piracy and murder in the American steamer Chesapeake, I have now the honor to state that information has been received at this department from the consul of the United States at St. John's to the effect that, upon the discharge of the parties arraigned under the charge of piracy committed on board of the beforenamed Chesapeake, new warrants were issued by Justice Parker for the apprehension of all the offenders known to have been concerned in the transaction; that these warrants were not, and, perhaps, could not have been, served at the time, by reason of the escape of the criminals to parts unknown.

It having recently come to the consul's knowledge that four or five of these fugitives had returned within the jurisdiction of New Brunswick, he has notified the high sheriff, in whose hands these warrants now are, of the fact.

It is hoped that every facility may be afforded by the provisional authorities for their apprehension and commitment; and I now have the honor to request, through you, sir, that upon the apprehension and commitment of the said fugitives, or any of them, within the province of New Brunswick or elsewhere, within the jurisdiction of her Britannic Majesty, her Majesty's proper authorities will be pleased to issue the necessary warrant for the delivery of the said fugitives to any person duly authorized by the government of the United States to receive them, in order that they may be brought back to the United States for trial.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 25, 1865.

SIR: I have the honor to acknowledge receipt of your note of the 23d instant, and inform you that a copy of it shall be communicated to the proper authorities.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 25, 1865.

SIR: I have the honor to acknowledge receipt of your note of the 21st January, relative to the alleged intentions on the part of enemies of the United States, now said to be lurking in Canada, to make a predatory incursion on certain points on United States territory.

I have transmitted a copy of that note to his excellency the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 26, 1865.

SIR: With reference to your note of the 7th October last, stating that the claims of Miller and Fisher (two British subjects illegally imprisoned in the State of Michigan) to compensation for their illegal arrest and detention would be taken into consideration by the United States government, I have the honor to transmit to you a copy of a despatch and, in original, its enclosure, which I have received from his excellency the governor general of Canada, in which Miller's claim is put forward.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

QUEBEC, *January* 18, 1865.

SIR: With reference to the cases of Miller and Fisher, who were illegally imprisoned at Detroit last May, and whose claims to compensation Mr. Seward informed you in his note of the 7th October, 1864, would be taken into consideration when they were definitely presented, I have the honor to transmit to you a paper setting forth the amount of Miller's claim, which I beg that you will be so good as to lay before the Secretary of State of the United States.

It should be borne in mind, in deciding upon the compensation due to Miller, that though Mr. Seward, on the 7th October, pronounced his detention to be illegal, he was not released till the 6th December.

The delay was owing, I was informed, to a question arising as to whether the proper person to grant the warrant of deliverance in the case was the governor or the attorney general of the State of Michigan.

If this is correct, Miller's imprisonment was unnecessarily prolonged for nearly two months after its injustice had been acknowledged, and I think that this fact should weigh strongly in procuring a liberal consideration of his claims by the government of the United States.

I have, &c.,

MONCK.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

The government of the United States to Thomas J. Miller, Dr.

For compensation for being taken by violence—he being a British subject—from Sandwich, in the county of Essex, in the province of Canada, by United States officials, on May 1,

1864, and afterwards committed to the common jail, in the city of Detroit, and there detained until delivered by the warrant of his excellency Governor Blair, of Michigan, on December 6, 1864—

1. For loss of earnings during the period of seven calendar months and six days, from date of arrest to date of release, at $50, Halifax currency, per month	$360 00
2. For expenses incurred during confinement in jail, $250 in United States currency, equivalent to, in Halifax currency	120 00
3. For indemnity for loss of health and strength, by reason of close confinement in jail for the above period	500 00
Total, in Canadian currency	980 00

THOMAS J. MILLER.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 26, 1865.

SIR: I have the honor to transmit to you herewith a copy of the speech of his excellency the governor general on the opening of the session of the Canadian Parliament.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

[Extracts from the Canada Gazette of January 19, 1865.]

LEGISLATIVE COUNCIL CHAMBERS,
Quebec, January 19, 1865.

This day, at three o'clock p. m., his excellency the governor general proceeded in state to the chamber of the legislative council in the Parliament building. The members of the legislative council being assembled, his excellency was pleased to command the attendance of the legislative assembly, and that house being present, his excellency was pleased to open the third session of the eighth Parliament of the province of Canada with the following speech from the throne:

Honorable gentlemen of the legislative council:
Gentlemen of the legislative assembly:

* * * * * * * * * *

Outrages have been committed on the commerce and territory of the United States of America by persons who, after the perpetration of these acts, have sought refuge on Canadian soil.

In order to prevent the organization of any such enterprises within this province, and also to enable me to discharge in an effective manner my duties towards a neighboring power on terms of friendship with her Majesty, I have seen fit to oganize a system of detective police on the frontier line of the United States, and with the same design I have called out for permanent duty a portion of the volunteer force of the province.

Similar considerations have suggested the propriety of arming the executive government with stronger powers than it now possesses for dealing with persons who, while availing themselves of the right of asylum which has always been allowed on British soil to political refugees from all foreign countries, may be unmindful of the implied obligations which, by their residence among us, they contract to obey our laws and to respect the declared policy of our sovereign.

A bill framed for this purpose will be laid before you, and I ask for it your early consideration.

I am happy to be able to inform you of the zeal and alacrity displayed by the members of the volunteer force when called upon to turn out for active service.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 28, 1865.

MY DEAR SIR: It may conduce, perhaps, to a better understanding as to the scope and bearing of Earl Russell's slave trade despatch, No. 9, of the 7th December, of which I put a copy into your hands, at the State Department, if I send you copies of correspondence addressed to her Majesty's minister at Madrid on this subject.

You will see that a despatch similar to the above has been addressed to all the European courts, inviting them to join together in declaring slave trade piracy.

Believe me to be, my dear sir, yours, very faithfully,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Paget to Mr. Layard.

ADMIRALTY, *December* 8, 1864.

SIR: I am commanded by my lords commissioners of the admiralty to send you herewith, for the information of Earl Russell, a copy of a letter from Commodore Wilmot, dated the 29th of October, No. 238, requesting their lordships to sanction an order he has given to the commander of her Majesty's ship under his command, for the masters and crews of captured slavers to be detained on board the captors, for the purpose of finding out their nationality, and delivering them over to the governments to which they may severally belong.

The question raised by Commodore Wilmot has been on previous occasions brought before my lords, and particularly in a letter from Rear-Admiral Sir F. Grey, date March 12, 1840, a copy of which was sent to the foreign office on the 28th April following.

A steamer without colors or papers, formerly called the Rubens, of Antwerp, was captured by the Lyon. Several of her men were brought to the Cape of Good Hope, and acknowledged themselves to be Spanish subjects. Sir F. Grey, the commander-in-chief, referred the case to the attorney general of the colony, who gave an opinion that there was no power to detain them, or to send them to the Grand Canary, and this opinion was confirmed by her Majesty's advocate general, as communicated to admiralty in foreign office letter May 12, 1860.

My lords apprehended, therefore, that the course proposed by Commodore Wilmot would be illegal, and they proposed to inform him that it cannot be adopted.

The practice at present is to land the crews of captured slavers (except those necessary for condemnation of a vessel, or those specified by treaties) at some convenient place, where their lives will not be endangered, and where they will most easily find means of embarking; care being taken that they have some money to provide themselves with food. The Portuguese will not allow any to be landed in their settlement.

My lords will be glad to know whether any alteration can be made in this practice, which obviously does afford some facilities for manning vessels to be employed in slave-trade.

I am, &c.,

C. PAGET.

A. N. LAYARD, Esq., *&c., &c., &c.*

Earl Russell to Sir J. Crampton.

FOREIGN OFFICE, *January* 5, 1865.

SIR: I have to instruct you to request an interview with Marshal Narvaez, in order to speak to him again on the subject of slave-trade.

You will represent to his excellency, that the honor of Spain must suffer from the continued connivance of Spanish authorities at the violation of a solemn treaty concluded with England in the year 1835. You will point out to him that, by the operation of a British act of Parliament, and the consequent vigilance and activity of Brazilian governments, slave-trade has for the last ten years been unknown on the coast of Brazil; that unhappily it is not unknown on the coast of Cuba; but that it is impossible to believe that the Spanish government cannot do that which the Brazilian government has been able to do with ease and complete effect.

That by my despatch No. 41, of the 7th ultimo, I have asked the Spanish government to concur in submitting Spanish subjects captured in slave-trading ships to the jurisdiction of British courts—British subjects similarly captured being similarly subjected to the jurisdic-

tion of Spanish courts—and that in both cases the offenders should be liable to the penalties attached to piracy. I have made a similar proposal to other governments in Europe and America.

A correspondence which I send you, and which has recently taken place between the British admiralty, the foreign office, and commodore commanding on the western coast of Africa, will enable you to show to Marshal Narvaez the mischief of letting loose miscreants, quite unworthy of the protection of the Crown of Spain, who, after being taken in one slave vessel, are liberated, and forthwith enlist in the same service in some other ship, bound on a similar unchristian and inhuman errand.

You will urge upon the marshal, so well known for his chivalrous sentiments and lofty character, the duty which devolves upon him of effacing a stain from the escutcheon of Spain, and of rendering a brilliant service to the cause of African freedom.

RUSSELL.

Sir J. F. CRAMPTON, *&c., &c., &c.*

Commodore Wilmot to the Secretary of the Admiralty.

RATTLESNAKE, ST. HELENA, *October* 29, 1864.

SIR: I have directed that the masters and crews of captured slavers be detained on board the captors, for the purpose of finding out their nationality and delivering them over to the government to which they belong.

2. It is the practice to land the master and others who form the crew of a captured slaver at the nearest convenient spot, for the purpose of getting rid of them; they are thus enabled to resume at pleasure their former occupation, and make fresh bargains with the slave dealers for future services.

3. If their governments are pleased to sanction this step, we shall place the dealers and others concerned in this traffic in a very uncertain position, because they will experience great difficulty in obtaining a proper master and crew for their vessels; as not only will there be a scarcity of masters and seamen, in consequence of those captured being sent out of the country and punished for their offences, but because they will be afraid to risk their lives and liberty, knowing that if captured they will be handed over to be dealt with by their own government.

I have, &c.,

EVARDLEY WILMOT, *Commodore.*

SECRETARY OF THE ADMIRALTY, *&c., &c., &c.*

Mr. Layard to the Secretary of the Admiralty.

FOREIGN OFFICE, *January* 4, 1865.

SIR: I have laid before Earl Russell your letter of the 8th ultimo, transmitting a copy of one from Commodore Wilmot, requesting the lords commissioners of the admiralty to sanction an order recently issued by the commodore to the commanders of her Majesty's cruisers directing them to detain the master and crews of captured slave vessels, with the view to ascertain their nationality, and to their being handed over to the governments of the countries to which they severally belong. You add that their lordships having in view the decision come to in the year 1860, in the case of the crew of the captured slave vessel Rubens, of Antwerp, apprehend that the course suggested by Commodore Wilmot would be illegal, and that their lordships propose, therefore, to inform him that it cannot be adopted.

Lord Russell desires me to observe in reply that he is of opinion that Commodore Wilmot would be justified in detaining the crews of captured slave vessels for the short period of time necessary for ascertaining in any case of such doubt, and in such cases only, whether any provision is made by treaty for their disposal—Spaniards by Spanish treaty, Portuguese by Portuguese treaty, and acts of Parliament confirming such treaties.

If treaty and act of Parliament are silent, his lordship is of opinion that we have no right to detain them, or to require the government of the country to which they may belong to take charge of them.

Commodore Wilmot in the order he has issued has, therefore, exceeded his lawful power. But he should be allowed, under the restrictions above mentioned, to detain the masters and crews of slave vessels till he has ascertained their nationality and position by treaty, and he should on all occasions land them, as far as he can conveniently do so, at places where, whilst their lives will not be endangered, it will not be possible for them to engage again immmediately in similar slave-trading expeditions.

I am to add that Lord Russell is so impressed with the necessity of measures being adopted

for the punishment of the masters and crews of slave vessels captured without colors or papers to denote their nationality, that he has recently addressed a circular to her Majesty's representatives in the countries named in the margin, instructing them to invite the government to which they are accredited to concur in declaring slave trade piracy, and in submitting their subjects captured in slave-trading ships to the jurisdiction of courts entitled to take cognizance of that crime.

France, Spain, Portugal, Austria, Prussia, Italy, Netherlands, Russia, United States.

A copy of the circular despatch in question is herewith enclosed for your lordship's information.

I am, &c., &c.

A. H. LAYARD.

The SECRETARY TO THE ADMIRALTY, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 28, 1865.

SIR: With reference to the note which you did me the honor to address to me on the 15th December last, relative to shot fired from a battery at Eastport, having fallen on British territory, I am directed by her Majesty's government to state to you that they have received with satisfaction the assurance contained in your above-mentioned note, that instructions will be given to prevent any further shots being fired from the battery at Eastport into British territory, and that the occurrence in question was unauthorized, inadvertent, and was to be regretted.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 30, 1865.

SIR: I have the honor to enclose copy of a letter which I have received from Mr. Charles Green, as president of the Chamber of Commerce of Savannah, and beg you to take it into immediate consideration, in connexion with what I had the honor of bringing to your notice on the 23d instant.

Hoping to have soon the answer requested in my above-mentioned note, I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Green to Lord Lyons.

SAVANNAH CHAMBER OF COMMERCE,
January 19, 1865.

MY LORD: In the absence of the usual consular facilities for communicating with you, I am urged by the British residents here to repeat that their property in cotton falls daily into worse position. You are aware it has all been seized by the military, who not only forbid the owners the privilege of marking the bales at the time they are taken away, but refuse to allow the owners or their clerks to be present in the warehouses, and *decline to give any receipt or record of the property they take away.* The interests at stake are so large that the necessity of vouchers for the cotton is pressing, and the British subjects here solicit your excellency's interference with the American government hereupon.

I remain, &c., &c.,

CHARLES GREEN,
President of the Chamber of Commerce of Savannah.

His Excellency LORD LYONS.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 31, 1865.

SIR: Upon the receipt of your note of the 4th instant, respecting two vessels building at Montreal, alleged to be for the naval service of the co-called Confederate States, I forward a copy of it to the governor general of Canada.

His excellency has furnished me with a report of the attorney general for Canada East upon this subject, a copy of which I have the honor to transmit herewith.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant.

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

CROWN LAW DEPARTMENT,
Quebec, January 24, 1865.

The undersigned has the honor to report to his excellency the governor general that from inquiries made by him, as shown by the annexed correspondence, relative to the two vessels alluded to by the United States vice-consul, in his letter of the 9th December last, addressed to the British minister at Washington, it does not appear that any suspicion of their destination other than the ostensible one, was excited in the minds of the customs officers at Montreal, and that one of these vessels, the Alexandarus had cleared from the port of Montreal before the date of the vice-consul's letter.

The undersigned will duly report to his excellency before the opening of navigation any further information that may be obtained relative to the Pinero.

GEORGE G. CARTIER
Attorney General, L. C.

Mr. Futvoye to Mr. Holmes.

CROWN LAW DEPARTMENT,
Quebec, December 28, 1864.

SIR: I am directed by the honorable the attorney general for Lower Canada to request you to make diligent inquiry as to the trade or objects for which two ships now building at Montreal, to be called El Almandarus and Pinero are destined, and to report to him from time to time any reliable information that you may obtain in relation to them and their destination.

I have, &c.,

GEORGE FUTVOYE,
Clerk of Crown Law Department.

B. HOLMES, Esq.,
Collector of Customs, Montreal.

Mr. Holmes to Mr. Futvoye.

CUSTOM HOUSE, *Montreal, December* 29, 1864.

SIR: In reply to your letter of the 28th instant, requesting information respecting the steamers Almandarus and Pinero, I beg for the information of the honorable the attorney general for Lower Canada to state that the former was built on a wharf opposite this city, and then taken into the Lachine canal, by Mr. Augustine Cantin during the last summer. That owing to the illness of the measuring officer of this port, Mr. O'Meara, of ————, came up here and measured both vessels. and would, therefore, be competent to give every information as to whether there was anything suspicious in their build, or different from similar passenger steamboats.

These vessels were both registered at this port on the 25th of November last in the name of the builder, A. Cantin. The Almandarus was built on account of the General Cuban Steam Navigation Company of Havana, and the Pinero for Ildefonso Vivanco, merchant, of same place.

The Almandares, of 630 $\frac{21}{100}$ tons, J. B. Portias master, cleared from this port without cargo for Havana on the 7th instant, and by the latest accounts had reached Causo, where I was informed, at date of her sailing hence, she would stop for a supply of coal.

It was intended to have cleared the Pinero, $287\frac{82}{100}$ tons, for the same port, but owing to the unfinished state of the joiners' work some difference arose between the parties interested, which created a delay of several days, and the season suddenly closing, the vessel was compelled to return into the Lachine canal to winter.

I would beg to observe that Mr. Cantin, in November, 1858, built a steam vessel of $437\frac{89}{100}$ tons, called the Colon, for Don Pedro Sacosta, of Havana, which was transferred to him there, and the register returned to this port by the British consul.

These vessels were stated to be intended for passenger boats, and the Almandares was fitting up at date of her clearance with state-rooms, &c., as in the usual way.

I have, &c.,

BENJAMIN HOLMES, *Collector.*

GEORGE FUTVOYE, Esq., *&c., &c., &c.*

Mr. Futvoye to Mr. O'Meara.

CROWN LAW DEPARTMENT,
Quebec, January 17, 1865.

SIR: I am directed by the honorable the attorney general for Lower Canada to transmit to you the enclosed letter of the collector of customs at Montreal, and to request you to return it, at your early convenience, with such further information as you may be able to furnish on the subject-matter thereof.

I have, &c.,

GEORGE FUTVOYE,
Clerk of Crown Law Department.

J. P. O'MEARA, Esq.,
Measuring Surveyor, her Majesty's Customs, Quebec.

Mr. O'Meara to Mr. Futvoye.

CUSTOM HOUSE, *Quebec, January* 18, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 17th instant, with enclosures from the collector of customs, port of Montreal, with a request I would return it at my early convenience, with such further information as I may be able to furnish on the subject-matter thereof.

In reply, I have the honor to state that I measured the steamers recently referred to, namely, the Almandares and Pinero, in Montreal, in the month of November last. They were represented so me by Mr. Cantin, the builder, as being intended to carry passengers, and were then being fitted up for that purpose. I saw nothing at the time which could have led me to suspect that they were intended for any other purpose than that represented to me by the builder, and in fact I remember remarking to Mr. Cantin that from the way in which they were being fittted up at the time with cane beds, &c., they appeared admirably adapted for the purpose for which he represented them to be built, viz: carrying passengers in the tropics.

I have, &c.,

P. O'MEARA.

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 31, 1865.

SIR: With reference to your note of the 11th of October, and to my reply of the 12th October, I have the honor to transmit to you herewith a copy of a despatch which I have received from the governor general of Canada, stating that his warrant has been issued for the delivery of William H. Crawford to the proper authorities of the United States.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

QUEBEC, *January* 26, 1865.

SIR: Referring to your despatch of the 12th of October, 1864, and its enclosure respecting the extradition of W. H. Crawford, charged with the crime of assault with intent to commit murder within the jurisdiction of the United States, I have the honor to state, for the information of the Secretary of State of the United States, that my warrant has been issued for the delivery of this person to the proper authorities of the United States.

I have, &c.,

MONCK.

J. H. BURNLEY, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *January* 31, 1865.

SIR: With reference to your note of the 12th instant, relative to the form of requisition for the extradition of fugitives from the United States in the British provinces, I have the honor to transmit to you a copy of a despatch which I have received from his excellency the lieutenant governor of New Brunswick.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Lieutenant Governor Gordon to Mr. Burnley.

GOVERNMENT HOUSE,
Frederickton, January 21, 1865.

SIR: I have had the honor to receive your despatch of the 14th instant, enclosing copy of a note addressed to you by the Secretary of State for the United States.

In Canada the proceedings in cases of extradition are regulated by a provincial act; and I do not profess to offer any opinion as to its construction. But in this province there is no such act, and the proceedings must be regulated strictly by the language of the imperial statute, which is as follows:

"It shall be lawful, in any of her Majesty's colonies or possessions abroad, for the officer administering the government of any such colony or possession, by warrant, under his hand and seal, to signify that such requisition has been so made, and to require all justices of the peace and other magistrates and officers of justice within their several jurisdictions to govern themselves accordingly, and to aid in apprehending the person so accused, and committing such person to jail for the purpose of being delivered up to justice according to the provisions of the said treaty; and thereupon it shall be lawful for any justice of the peace, or other person having power, to commit for trial persons accused of crimes against the laws of that part of her Majesty's dominions in which such supposed offender shall be found; to examine upon oath any person or persons touching the truth of such charge, and upon such evidence as, according to the laws of that part of her Majesty's dominions, would justify the apprehension and committal for trial of the person so accused, if the crime of which he or she shall be so accused had been there committed, it shall be lawful for such justice of the peace, or other person having power to commit as aforesaid, to issue his warrant for the apprehension of such person, and also to commit the person so accused to jail, there to remain until delivered pursuant to such requisitions as aforesaid; whilst the Xth article of the treaty distinctly states that the warrant for the apprehension of a fugitive is only to follow complaint upon oath."

From this it is clearly apparent that the following steps have to be taken to secure the extradition of a criminial from this province:

1st. A requisition from the authorities of the United States.

2d. The issue of a warrant by the governor, authorizing magistrates and officers of justice to proceed against the parties.

3d. Complaint on oath before a magistrate.

4th. Issue of a warrant by the magistrate for apprehension of the parties.
5th. Committal to jail by magistrate after examination on oath.
6th. Certificate of such committal from the committing magistrate.
7th. Warrant from governor for extradition of the parties.

The governor's original warrant is not one by which the parties could be committed to prison; it simply authorizes the magistrates to do what otherwise they could not do, namely, to take cognizance of an offence committed beyond their jurisdiction, and enables them to issue a warrant for the apprehension of the accused upon complaint made before them upon oath.

Whatever may be the case in Canada, it is certain that in this province the production of evidence must precede the apprehension of the parties.

I have no objection to issue my preliminary warrant if Mr. Seward desires it, but I am anxious that he should first fully understand the position of the case.

I have, &c., &c.,

ARTHUR H. GORDON.

J. BURNLEY, Esq.

Mr Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, January 31, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 24th instant in regard to the proceedings of the lieutenant governor of Bermuda in requiring the resignation of the solicitor general of that colony, or that he should not act as the counsel of the defendants in the case of the Mary, seized for an alleged violation of the British foreign enlistment act.

The spirit of comity manifested by his excellency, and the friendly manner in which you have informed me of his conduct, have afforded me much gratification.

I beg you to convey to him an expression of the high appreciation entertained by this government of his just regard for its rights and for its good will in the instance adverted to.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 2, 1865.

SIR: With reference to your note of the 11th October last, I have the honor to transmit to you a copy of a despatch which has been forwarded to me by the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. McDougall to Mr. Burnley.

SECRETARY'S OFFICE,
Quebec, January 27, 1865.

SIR: Adverting to your letter of the 12th of October last, I have the honor to inform you, by command of his excellency the governor general, that a warrant is this day sent to the sheriff of the district of San Francisco, at Sherbroke, Canada East, for the extradition of W. H. Crawford to the United States authorities.

I have, &c.,

W. McDOUGALL, *Secretary.*

J. H. BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 4, 1865.

SIR: With reference to your notes of the 13th of October and the 29th of November, and to my note of the 30th of November, I have the honor to transmit to you herewith a copy of a despatch which I have received from his excellency the governor general of Canada, stating that he has issued his warrant for the extradition of Bennet G. Burley.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

QUEBEC, *January* 31, 1865.

SIR: Referring to your despatches of October 16 and November 30 and their enclosures, I have the honor to inform you, for communication to the Secretary of State of the United States, that I have issued my warrant for the extradition of Bennet G. Burley, charged with the crime of robbery within the jurisdiction of the United States.

I have, &c.,

MONCK.

J. H. BURNLEY, Esq.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 4, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 31st ultimo, announcing to me that the governor general of Canada had issued his warrant for the delivery of William H. Crawford to the proper authorities of the United States. Thanking you for the information, I have the honor to acquaint you that it has been communicated to the proper authorities, and to be, with high consideration, sir,

Your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 6, 1865.

SIR: With reference to your note of the 21st December and to my reply of the 22d December, relative to an alleged organization formed for seizing United States ships in various parts, I have the honor to enclose herewith a copy of a despatch which I have received from the lieutenant governor of Nova Scotia.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Lieutenant Governor MacDonnell to Mr. Burnley.

GOVERNMENT HOUSE,
Halifax, N. S., January 24, 1865.

SIR: I have not hitherto acknowledged the receipt of yours of the 22d ultimo, covering a communication from the honorable William H. Seward, giving information, on the authority of the United States consul here, of the existence of a piratical organization of some two hundred persons for seizing United States vessels on the Canadian lakes and elsewhere.

I have delayed acknowledging the above communication in the expectation that I might receive further information to give on the subject. I sent for the United States consul on receipt of your despatch, and assured him of the hearty co-operation of this government in every legal measure for the suppression of conspiracies here of the above nature.

I have since endeavored to ascertain whether there are really any parties in this city leagued together for such nefarious purposes as the consul has suggested, and I have hitherto failed to discover any adequate grounds for such a supposition.

You may, however, rely on my willing co-operation to discourage, and, so far as the law will permit, to prevent this part of her Majesty's dominions being made a rallying place for persons whose attempts are probably designed to place in jeopardy the friendly relations which at present happily exist between her Majesty's government and that of the United States.

I have, &c.,

B. G. MACDONNELL,
Lieutenant Governor.

J. H. BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 6, 1865.

SIR: With reference to my note of the 8th of November last, and to your replies of the 14th and 16th of the same month, relative to a shipment of cotton from Memphis, belonging to a British subject, Captain Scanlan, I would beg to enclose a copy of a further letter and enclosure which I have received from this gentleman, requesting you to take it into consideration.

Captain Scanlan's statement is written very fairly and courteously, and I hope that as other parties have been allowed apparently to ship their entire crop to New York, the same favor may be extended to the present applicant.

I beg to enclose copies of contract with freedmen through the United States superintendent at Memphis, requesting you to return them to me.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Scanlan to Mr. Burnley.

WILLARDS' HOTEL,
Washington, D. C., February 3, 1865.

SIR: With reference to my application to Lord Lyons of the 28th of October, 1864, I beg respectfully to submit that the order of the Secretary of the Treasury of the United States has been complied with, only in permitting me to ship my crop of cotton to Memphis, to await further action, as has been stated in the permit of Mr. Orme, which I have shown you already, and a copy of which I enclose.

He construes the Secretary's letter as only waiving the clause in the affidavit heretofore referred to, but still not granting what I asked, and what he favorably recommended in his letter of October to the Secretary of the Treasury. He permitted me to ship 24 bales of this cotton to New York, but refused to permit the balance, until the Secretary of the Treasury gives a more categorical answer to my application of last October, he being of opinion that the Secretary would require that the lands should be also leased from the government.

I have no doubt but the Secretary of the Treasury intended in his letter of the 14th of November that I should be permitted to ship this cotton to market.

As stated in my letter to Lord Lyons, my plantation is eighteen miles below Memphis, on

the banks of the Mississippi river, and under cover of the guns of the United States navy. Were it not regarded by the military authorities as inside their lines, they would not permit me to take contrabands or freedmen from Memphis to said plantation.

I have been highly recommended by the military commanders of that department, and my case has been favorably referred to the supervising agent, Mr. Orme, who had before him the proofs that this cotton was raised by freedmen's labor, and that every action of mine in the premises was strictly in conformity with the regulations of the treasury and in earnest furtherance of the policy of the government as set forth in the emancipation proclamation of his excellency the President of the United States; I therefore ask that I be permitted to ship this cotton to New York, without further hindrance or embarrassment, as the delay already incurred has materially lessened its value.

Some neighboring planters who did not even hire their labor from the superintendent of freedmen have been permitted to ship their entire crop to New York, and I am, therefore, satisfied that when this is made known to the heads of departments here, they will exhibit in this case their usual fairness and magnanimity, and I regret that I am obliged to give them further trouble.

I respectfully request the favor of an answer at your earliest convenience, directed to the care of Messrs. Walker & Scanlan, 224 F street.

With sincere thanks for your kindness, I have the honor, sir, to be, with great respect,

W. E. SCANLAN.

P. S.—I beg to enclose copies of contracts with freedmen through the United States superintendent at Memphis.

Respectfully,

W. E. SCANLAN.

[Enclosure.]

TREASURY DEPARTMENT, SECOND AGENCY,
Memphis, Tennessee, December 29, 1864.

W. E. Scanlan, a British subject, is hereby permitted to remove his crop of cotton, produced during the year 1864, from Scanlan's landing, eighteen miles below Memphis, to Memphis to be stored, and reported at this office for further action.

This is a case in which I am acting on special instructions from the Secretary of the Treasury, and I recommend the military authorities to give such passes as may be necessary in the case.

W. W. ORME,
Supervising Special Agent.

[Enclosure.]

This contract, made this 12th day of March, 1864, between Captain W. E. Scanlan, employer, and George Hall, Henry Cole, Anderson Manney, Paul McMillar, Greenville McMillar, Peter White, Jim Rogers, Bill Sykes, Arch. Gerring, William Noval, Ephraim Dennings, George Washington, freed laborers, witnesseth, that said W. E. Scanlan agrees to employ said laborers on his plantation from the 12th day of March, 1864, to the 12th day of March, 1865, on the terms specified in the code of rules and regulations for leasing abandoned property and hiring freedmen; and the said laborers agree to be diligent and faithful hands while in his employ, it being understood and agreed that this contract is subject to the provisions of said code by which all parties hereto agree to be governed.

W. E. SCANLAN.
GEORGE HALL.
HENRY COLE.
ANDERSON MANNEY.
PAUL McMILLAR.
GREENVILLE McMILLAR.
JIM ROGERS.
PETER WHITE.
GEORGE WASHINGTON.
BILL SYKES.
ARCH. GERRING.
WILLIAM NOVAL.
EPHRAIM DENNINGS.

In the presence of—
R. D. BUD.

[Enclosure.]

This contract, made this 8th day of March, 1864, between W. E. Scanlan, employer, and Margaret Ingram, Charley Grear, Anna Gibbs and children, Clara Gibbs, Mira Gibbs, Rachel Gibbs, Susan Banks and child, Jane Hicks, Milly Tucker, Amanda Taylor, Ned Norris, Frances Julligan and child, Nancy Johnson and child, Abby Nance, Laura Hodge, Coledona Malone, Catharine Malone, Emma Holmes, Elijah Potts, freed laborers, witnesseth that said W. E. Scanlan agrees to employ said laborers on his plantation from the 8th day o, March, 1864, to the ——— day of ———, 1864, on the terms prescribed in the code of rules and regulations for leasing abandoned property and hiring freedmen; and the said laborers agree to be diligent and faithful hands while in his employ, it being understood and agreed that this contract is subject to the provisions of said code by which all parties hereto agree to be governed.

W. E. SCANLAN.

SUSAN BANKS and child.
MILLY TUCKER.
JANE HICKS.
MARGARET INGRAHAM.
CHARLEY GREAR.
ANNA GIBBS and children.
LAURA GIBBS.
MARIA GIBBS.
RACHEL GIBBS.
AMANDA TAYLOR.
HENRY TAYLOR, Maryland.
NED NORRIS.
COLEDONA MALONE.
FRANCES JULLIGAN and child.
ABBY NANCE.
LAURA HODGE.
CATHARINE MALONE.
EMMA HOLMES.
ELIJAH POTTS.
JOHN LEWIS MALONE, Junistown, Tenn.
NANCY JOHNSON and child.
TILDA JOHNSON.
HENRY NANCE.
Rolly Spring, near Huntsville, Alabama.

In presence of—
JOHN PHILLIPS, *Lieutenant Colonel,*
Acting Sup't Freedmen, West Tennessee.

NOVEMBER, 1864.

Permission is given to convey and land the within named employés as per the permits and documents accompanying this.

J. N. SIMONDS,
Inspector of Customs and Clearance Office for the Port of Memphis.

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 7, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 24th ultimo, relative to cotton claimed by British subjects and seized by the military authorities at Savannah.

In that note you do me the honor to observe that there exists no sufficient reason for departing, in this instance, from the course which this government pursues in securing property in the insurrectionary districts and ascertaining and liquidating any claims of lawful owners thereupon by judicial investigation; and I doubt not that such is the full intention of the United States government.

At the same time, in view of what Mr. Greene observes in his letter of the 19th ultimo, a copy of which I took occasion to lay before you in my note of the 30th ultimo, it would appear difficult, if not impossible, for the rightfu

owners to show their right and title to the property if, as this gentleman states' the military authorities of Savannah decline to give any receipt or record of the property they take away.

The good intentions of the American government would thus be rendered nugatory, unless, indeed, orders have been already given that a different course shall be adopted, and the owners be debarred by acts over which they had no control of bringing forward any claims which should allow this government the opportunity of fairly investigating them by judicial means. This, it appears to me, can only add to the perplexity of the question and lay the good faith of this government open to criticism.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 7, 1865.

SIR: With reference to your note of the 21st ultimo, relative to the hostile designs of certain persons in Canada on the towns of Burlington, in Vermont, and Whiteball, in New York, I have the honor to enclose a copy of a despatch which I have received in reply from his excellency the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

QUEBEC, *January* 31, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of January 25, enclosing a note from the Secretary of State of the United States, respecting the designs of the enemies of the United States lurking in Canada of making a formidable incursion on the town of Burlington, Vermont, and Whitehall, New York.

I have the honor to request you to convey to Mr. Seward my assurance that the government of Canada will use every exertion to detect and defeat such plans.

I have, &c.,

MONCK.

J. H. BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 7, 1865.

SIR: I have the honor to enclose a copy of a telegram of yesterday from M M. Jackson, esq., the consul of the United States at Halifax, in regard to a projected raid from Canada into the United States. I will thank you to call the attention of the authorities of that province to the subject.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Jackson to Mr. Seward.

OFFICE UNITED STATES TELEGRAPH,
War Department.

The following telegram received at Washington, 12 m., February 7, 1865, from Halifax, February 6, 1865:

Hon. WILLIAM H SEWARD:

Another raid into the United States from Canada is in contemplation; full particulars and instructions respecting which are given in several letters addressed to N. B. Davis, at Montreal and Toronto.

M. M. JACKSON, *United States Consul.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 8, 1865.

SIR: I have had the honor to receive your communication of the 4th instant, relative to the extradition of Bennet G. Burley.

I have the honor to be, sir, with the highest consideration, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 8, 1865.

SIR: I have received the note which you addressed to me on the 30th ultimo, together with its accompaniment, namely, a copy of the letter of Mr. Charles Green, of Savannah. It does not seem to me to require any modification of the views I have hitherto had the honor to communicate to you concerning the property captured at that place.

I do not think that the officers of the United States ought to be required to give vouchers to claimants, or to permit them to brand or mark, or in any way to interfere with the captured property. This would be to make documentary or other evidence after the capture, in support of claims which are alleged to have existed before it.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 8, 1865.

SIR: With reference to my note of the 31st ultimo, enclosing copy of a despatch of the 21st ultimo, from the lieutenant governor of New Brunswick, relative to your requisition for the extradition of some of the St. Albans' raiders, supposed to be lurking in that province, I have the honor to inform you that I have since then received a further despatch from his excellency, in which he states that he was going to issue the warrant in question as soon as he had

been able to communicate with the law officers of the Crown in that province as to the form in which that document should be framed; the departure from the practice hitherto adopted rendering the form of warrant which has been used on previous occasions of a similar character inapplicable.

According to the opinion of the highest legal authority of the colony, the lieutenant governor is not strictly justified in issuing the warrant in question, without being furnished with some evidence of the guilt of the accused parties, and of the fact that they are now in that province, and Mr. Gordon would have been glad if such information could have been furnished him, in order that his action in the matter should be rightly understood.

His excellency trusts that, at all events, if you have reason to suppose that the parties accused are now in the province of New Brunswick, you will be good enough to direct the United States consul at St. John to furnish him with such information as will enable him to secure their apprehension, as his own inquiries, through the police, have been wholly unsuccessful.

It would appear that in the case of the Chesapeake, as in cases of extradition for murder and forgery, the requisition was made by the consul at St. John, supported by evidence, and this requisition was recited in the commencement of the governor's warrant; and, indeed, on one occasion, in 1856, Mr. Gordon's predecessor refused to issue his warrant on account of the insufficiency of the allegations contained in the requisitions.

His excellency trusts, therefore, that in acting as he is about to do, you will perceive that he is giving ample proof of his desire to render every possible satisfaction to the government of the United States.

I have the honor to be, with the highest consideration, sir, your most odedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 8, 1865.

SIR: I have the honor to enclose a copy of a letter of yesterday, addressed, by command of Major General Dix, by Major Charles O. Joline to Major General J. C. Robinson, commanding northern division of New York, in regard to an organization reported to be progressing at or near Cape Vincent, with a view to a marauding expedition into Canadian territory, as an act of retaliation for that upon St. Albans.

I will thank you to advise the Canadian authorities of that project, and that the Secretary of the Treasury and the Attorney General have been apprised of the facts, and requested to instruct the officers of the United States subject to their orders to take measures to prevent any such movement.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Major Joline to Major General Robinson.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, February 7, 1865.

GENERAL: The commanding general has information that a man named Briggs has been for some time past, and is now, engaged in organizing a body of men at or near Cape Vincent with the avowed object of making a raid upon Kingston, in retaliation for that upon St. Albans.

The commanding general directs that you make immediate investigation as to this allegation, and that your utmost efforts be used to prevent the outrage, if the same appears to be contemplated.

By command of Major General Dix:

CHARLES O. JOLINE, *Major and A. D. C.*

Major General J. C. ROBINSON,
Commanding Northern District of New York, Albany.

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 9, 1865.

SIR: I have the honor to acknowledge the receipt of your note of yesterday's date, and of its enclosure, relative to an organization reported to be in progress at or near Cape Vincent, with a view to a marauding expedition into Canadian territory.

I beg to return you my thanks for this friendly communication, and to state that I have this day forwarded copies of the same to his excellency the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 9, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant relative to British claims to portions of the cotton found at Savannah.

I have the honor to be, with the highest consideration, sir, your obedient, humble servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 9, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 31st ultimo, presenting to me the views of his excellency the lieutenant governor of Nova Scotia in regard to the steps necessary to be taken to obtain the extradition of fugitives in that province, under the tenth article of the treaty of Washington and the act of Parliament for giving it effect. This communication will receive mature deliberation.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 11, 1865.

SIR: I have the honor to inform you that it is considered desirable that the labors of the fishery commission, organized under the 1st article of the treaty of the 5th of June, 1854, be brought to a close at as early a season as may be convenient.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 11, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 2d instant, together with the accompanying copy of a despatch from the governor general of Canada, and beg that you will convey to him my thanks for the information contained therein.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 14, 1865.

SIR: Information, which is fully credited, has been received at this department that the steamer Ajax, which recently sailed from Kingston, Ireland, has gone out for the purpose of being used as a war vessel; that, although she was not armed, she had one hundred hammocks ready to be put up; that her armament has gone or will go in some sailing vessel to meet her at some concerted point, to be there transferred to her. In order the more effectually to screen her piratical designs, it is understood that she will visit Nassau before taking on board her armament.

In view of these circumstances, I beg leave to suggest to you the expediency of your putting her Majesty's authorities at Halifax, Bermuda, and Nassau on their guard to prevent the armament within their jurisdiction of this vessel for purposes hostile to the United States.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 14, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant, and of the accompanying copy of a despatch from the governor general of Canada, who states therein, with reference to the contemplated raid by the insurgents in Canada upon the towns of Burlington, in Vermont, and Whitehall, New York, that the government of Canada will use every exertion to defeat its successful issue; and I will thank you to convey to the governor general an expression of my high appreciation of his disposition to prevent the execution of the raid.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 14, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 31st ultimo, and of the accompanying papers, from the governor general of Canada, in relation to the two vessels building at Montreal for the service of the insurgents, and I beg you will convey to him my thanks for his prompt attention to the matter.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 14, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 6th instant, and of the accompanying copy of a despatch from the lieutenant governor of Nova Scotia, in regard to co-operation with the officials of this government in preventing the successful issue of the insurgent scheme in that province to destroy United States ships, and I will thank you to convey to the lieutenant governor an expression of my high appreciation of his friendly disposition toward the United States.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

[Communicated by British legation.]

Earl Russell to Mr. Burnley.

No. 53.] FOREIGN OFFICE, *February* 15, 1865.

SIR: Mr. Adams came yesterday, by appointment, to the Foreign Office.

I told Mr. Adams that the cabinet had taken into consideration the complaints which he had made from time to time, by order of his government, of the confederate hostilities in the lakes of Canada, of the raid at St. Albans, and of the vessels built or fitted out in British

ports which were afterwards found converted into ships-of-war, cruising against the commerce of the United States. That the orders sent to the governor of Canada by her Majesty's government, and the proceedings not only of the governor general, but of the legislature in Canada, would, I trusted, convince the United States government that everything had been done, or would be done, to prevent the carrying on of hostilities against the United States from Canadian territory or on Canadian waters.

With respect to the ships built, bought, or fitted out in the ports of the United Kingdom, the question was more difficult. We had tried prosecution, and had to a great extent prevented the equipment of warlike vessels in her Majesty's ports and rivers, to be afterwards used as confederate vessels-of-war; but this success only rendered the confederate agents more cautious in carrying out their designs. Supposing a merchant ship to be bought and sent out ostensibly to Bombay, another vessel laden with cannon and warlike equipments, with a large ship's company, should be nominally bound to Mexico, and that these two vessels should meet, say at the Cape Verde islands, and one of these vessels to be there converted into a confederate cruiser, with a confederate captain and a confederate crew: how was such a transaction to be prevented? Would not the plans of the confederate agents and of their friends in the country be kept so secret that no law existing, or to be made, could reach them?

I said that, struck by the difficulties, her Majesty's government had determined to address the confederate commissioners at Paris; and I then proceeded to read to Mr. Adams the letter of which I enclose a copy. But I said there was always great difficulty in communicating with the confederate authorities at Richmond, and it had occurred to the cabinet that, as the government at Washington must have opportunities of communicating with the confederates on questions which always arise in the course of protracted hostilities, I might fairly ask Mr. Seward, through the organ of Mr. Adams, to convey my letter safely to the confederate authorities.

Mr. Adams raised the difficulties that the confederates might doubt the authenticity of the letter; but, as I told him that the original had been sent the day before to Lord Cowley, to be delivered to Mr. Mason, Mr. Adams acknowledged that difficulty to be removed.

I said that either the confederates would accept our conditions, or they would refuse compliance, and in the last case it would be for her Majesty's government to consider what was next to be done.

Mr. Adams said that in either case he thought advantage would accrue to the United States; but he feared that the facility with which the confederates had obtained ships for hostile purposes in a neutral country would furnish very dangerous precedents to belligerents in any future war.

I am, with great respect, sir, your most obedient, humble servant,

RUSSELL.

J. HUME BURNLEY, &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 15, 1865.

SIR: With reference to your note of the 25th ultimo, relative to the extradition of Braine and others, charged with the commission of piracy and murder on the American steamer Chesapeake, I beg leave to enclose copy of a despatch and enclosures which I have received on this subject from the lieutenant governor of New Brunswick, to whom the requisition for the extradition of the offenders was addressed, stating that no efforts will be spared on his excellency's part to secure their immediate arrest.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Gordon to Mr. Burnley.

FREDERICTON, N. B., *February* 7, 1865.

SIR: I have had the honor to receive your despatch of the 27th ultimo.

I request that you will have the goodness to thank Mr. Seward, in my behalf, for the communication of the information which has reached him as to the presence in this province of

some of the parties implicated in the seizure of the steamer Chesapeake, and that you will inform him that no efforts will be spared on my part to secure their immediate arrest.

I have no doubt that the high sheriff of St. John has already, on the receipt of the information given him by the consul of the United States, taken steps to insure their capture; but in order that there may be no room on his part for any misapprehension of his duty, I have caused the letter of which I enclose a copy to be addressed to him. I have also directed a circular, of which a copy is likewise enclosed, to be issued to the sheriffs of the different counties.

I am not surprised that the amount and importance of the business in which Mr. Seward is engaged should have caused him to evince some forgetfulness of the details connected with a case which has now for many months ceased to occupy public attention; but, although the facts are for the most part recorded in my various communications addressed at the time to her Majesty's minister at Washington, it may be convenient that I should put you, at all events, in full possession of them by a brief recapitulation. You will then perceive that the warrant issued by Judge Parker, referred to by Mr. Seward, does not in any way relate to the extradition of the parties, and was not issued under the authority of my warrant of the 24th of December, 1863, or in consequence of the requisition of the United States government for the surrender of the parties.

Previously to the discharge of the prisoners by Mr. Justice Ritchie, I had carefully considered the course which, in such an event, it would be advisable for me to pursue. It appeared to me that if it were decided by the judge that the accused parties would, if guilty of the crimes imputed to them, be amenable to the courts of this province, and not to those of the United States, the government of that country might justly expect that they should be brought to trial in this province upon the charges preferred against them. Accordingly, on Monday morning, March 7, three days before the delivery of Judge Ritchie's judgment, I sent for the attorney general, and directed him to cause information to be laid and warrants prepared which would insure the re-arrest of the parties, should they be released by the judge's orders. I directed the preparation of two separate warrants, of which one or other was to be used, according to the nature of the reasons assigned by the judge for the discharge of the prisoners. Should they be set free on the plea that their commissions in the confederate service rendered the acts committed by them justifiable as the acts of belligerents, I directed that such of them as were British subjects should be arrested for a breach of the foreign enlistment act. Should they be discharged because, in the judge's opinion, their extradition could not properly be demanded by the government of the United States, I directed that the charge of piracy and murder preferred against them should be brought before the admiralty court of this province. The attorney general perfectly understood these instructions, as also their object, which was that matters might be in such a state of preparation that, in the event of the discharge of the prisoners, a very few minutes might suffice for the accomplishment of the form necessary to assure their re-arrest. On the following day I desired the provincial secretary to ascertain whether my orders had been carried out. He informed me that the necessary instructions had been forwarded to St. John. I therefore assumed, not I think without reason, that I had done all that could be reasonably looked for by the government of the United States, and given ample proof that no desire existed on the part of this government to shelter from justice the parties implicated in this transaction.

Circumstances, which I need not now detail, unfortunately prevented the due execution of these orders: and it was not until the 16th of March that Mr. Justice Parker issued the warrant, of which I now enclose a copy, and which you will perceive is not issued under the provisions of the act 6 and 7 Vict., cap. 76, but by the judge, as a member of the high court of admiralty; with a view to their being brought before which court for trial, it directs the apprehension of the parties. Immediately before my leaving this province for England in the month of April, information reached me that some of the parties were still in the neighborhood of St. John, and I directed the high sheriff to make every effort for their capture. I did not return to New Brunswick till August, and I have not since that time received any further intelligence on the subject.

I have, &c., &c.,

ARTHUR H. GORDON.

J. Hume Burnley, Esq., *&c., &c., &c.*

Mr. Tilley to the High Sheriff.

Provincial Secretary's Office,
Fredericton, N. B., February 7, 1865.

Sir: I am directed by his excellency the lieutenant governor to inform you that his excellency has received intimation, from her Majesty's legation at Washington, that the consul for the United States of America at St. John has intimated to you that some of the persons implicated in the seizure of the Chesapeake are now in St. John.

I am directed by his excellency to instruct you, should this be the case, to spare no pains to secure execution of the warrant of Mr. Justice Parker, of the 1st of March, 1864, now in your hands, by the immediate apprehension of the parties referred to, and you will take, with secrecy and despatch, all the measures necessary to effect this object.

In the event of the capture of any of the parties, you will report the fact at once to his excellency by telegraph.

I have, &c.,

S. L. TILLEY.

The HIGH SHERIFF, *St. John.*

[Copy of circular to the sheriffs of counties.]

PROVINCIAL SECRETARY'S OFFICE,
Fredericton, February 7, 1865.

SIR: On the 18th of March, 1864, a warrant for the apprehension of certain parties named therein, on a charge of piracy and murder, and signed by the Hon. Justice Parker, as a member of the high court of admiralty, was forwarded to you by the attorney general.

Credible information has reached his excellency that some of the parties named in that warrant are now within the province, and I am directed by his excellency to call your attention to its proper execution within your jurisdiction should you have reason to believe that any of the individuals referred to are in the county of ———.

Should this be the case, I am directed to instruct you to take, with despatch and secrecy, immediate measures to secure their arrest, and, in the event of their capture, to report at once (by telegraph) to his excellency.

I have, &c., &c.,

S. L. TILLEY.

The HIGH SHERIFF *of* ———, *&c., &c., &c.*

[Copy of warrant.]

To James A. Harding, esquire, sheriff of the city and county of St. John, the deputy sheriff of the city and county, and to all constables and others, her Majesty's officers of the peace, for the said city and county of St. John, whom these may concern:

PROVINCE OF NEW BRUNSWICK, *Admiralty* ———, *to wit:*

These are, in her Majesty's name, to command you and every of you, upon sight hereof, to take and bring before me, the Hon. Robert Parker, one of her Majesty's justices of the supreme court of New Brunswick and one of the commissioners named in the communication issued under the great seal of the United Kingdom of Great Britain and Ireland, pursuant to the statutes and acts of the imperial Parliament in such case made and provided, or some other of the commissioners named in the said communication, the bodies of John C. Braine, David Collins, James McKinney, Linus Seelye, George Wade, W. C. Brooks, Isaac Tredwell, Henry Parr, George Robinson, Gilbert Cox, Robert Cox, Robert Moore, George Moore, Henry Osborne, and Vernon G. Locke, (*alias* John Parker,) of whom you shall have notice, to answer all such matters and things as on her Majesty's behalf are, on oath, objected against them by Charles Johnson, on suspicion of having been guilty of the forcible, piratical, and felonious seizing upon the high seas, within the jurisdiction of the admiralty of England and of the court appointed by the commissioners aforesaid, and then and there stealing, taking, and running away with, with force and arms, from the care, custody, and possession of Isaac Willetts, then being the master and commander, and by himself and his mariners in lawful possession of the same, the steamer or vessel called the Chesapeake; and on board the said steamer or vessel on the high seas, within the jurisdiction aforesaid, to wit, about twenty miles east-northeast from Cape Cod, in the State of Massachusetts, one of the United States of America, unlawfully, feloniously, and maliciously and cruelly did make an assault on one Orin Schaffer, second engineer of the said steamer or vessel, and him, the said Orin Schaffer, feloniously, wilfully, piratically, and of malice aforethought, killing and murdering, against the peace of our lady the Queen, her crown and dignity, and to be examined touching and concerning the said charge, and to be further dealt with according to law. Hereof fail not at your peril.

Given under my hand and seal this 16th March, 1864.

R. PARKER,
Judge of Supreme Court, Commissioner.

Mr. Burnley to Mr. Seward.

BRITISH LEGATION, *February* 17, 1865.

MY DEAR SIR: The lieutenant governor of New Brunswick telegraphs this morning that "Linus Seely, one of the Chesapeake captors, has been arrested at St. John."

Very faithfully yours,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 17, 1865.

SIR: Adverting to my note of the 7th instant, communicating to you a copy of a telegram from M. M. Jackson, esq., the United States consul at Halifax, I have the honor now to enclose, for your information and that of the proper authorities of her Majesty's government, a copy of another telegram from the same source of yesterday, to the effect that Oswego will probably be one of the points of attack by the rebel raiders from Canada, and that threats are made against Rochester, New York.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Jackson to Mr. Seward.

OFFICE U. S. MILITARY TELEGRAPH, *War Department.*

The following telegram received at Washington 5.22 p. m., February 16, 1865, from Halifax, Nova Scotia, February 16, 1865:

Hon. WILLIAM H. SEWARD:

Am informed that Oswego will probably be one of the points of attack by rebel raiders from Canada, and that threats are made against Rochester. Despatches by steamer.

M. M. JACKSON, *U. S. Consul.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 17, 1865.

SIR: Referring to your communication of the 6th instant, relative to the removal of Captain Scanlan's cotton to market, I have the honor to inform you that it is stated by the Secretary of the Treasury, in a letter of the 14th instant, that the papers in the case have been referred to the agent at Memphis for a report of his action on the subject; when that is received, it is remarked that such directions in the premises as may seem necessary and proper will be given.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 18, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 15th instant, which is accompanied by a copy of a despatch and enclosures, received by you from the lieutenant governor of New Brunswick relative to the extradition of Braine and others, charged with the commission of piracy and murder on the United States steamer Chesapeake. I beg you to convey to the lieutenant governor the thanks of this government for the zeal manifested by him in adopting prompt measures for the arrest of the above-mentioned criminals.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 19, 1865.

SIR: Referring to the correspondence which has taken place between us in regard to the suspicious steamer Georgian or Georgiana, I have the honor to acquaint you, for the information of the proper authorities of her Majesty's government, that in a despatch of the 6th instant, addressed to me by D. Thurston, esq., the consul of the United States at Toronto, it is stated that the steamer Georgian has been transferred to George Taylor Denison, a major in the militia (cavalry) of Canada; that he professes to have paid thirteen thousand dollars for her; but Mr. Thurston states that no such sum has ever been in the major's possession, and that he understands that George Dawson, a Canadian by birth, and a colonel in the insurgent service, who spent some months in Toronto, and who avowed that he was there as the agent of the insurgents, and for a special object, left that city a few days before it was known that the vessel had passed into George T. Denison's hands; that Dawson has a family connexion with Denison, and was very intimately associated with him during his residence in that city.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Thurston to Mr. Seward.

[Extract.]

UNITED STATES CONSULATE,
Toronto, February 6, 1865.

SIR: * * * * * * *

The steamer Georgian has been transferred to George Taylor Denison, of this city, a major in the militia (cavalry) of Canada. He professes to have paid $13,000 for her, but no such sum has ever been in his possession. He is the brother of Brigade Major Denison, of this city, and it was the last-named gentleman from whom I obtained the information. I understand that Geo. Dawson, a Canadian by birth, and a rebel colonel, who spent some months

in this city, and avowed that he was here as the agent of the rebel government, and for a special object, left this city a few days before it was known that the boat had passed into Geo. T. Denison's hands. He is connected in some way, by marriage, with Geo. T. Denison, and was very intimately associated with him during his residence in this city.

* * * * * * * *

With great respect, I am, sir, your obedient servant,

D. THURSTON, *U. S. Consul.*

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 20, 1865.

MY DEAR SIR: Agreeably to your wish, I have telegraphed to the lieutenant governor of New Brunswick relative to the detention of Linus Seely, of the Chesapeake, but I would suggest that the machinery of the law on this side should be put in motion as soon as possible, in order to meet the requirements of the law on the other side, as you will have perceived by the correspondence communicated to you on the subject of the St. Albans' raiders, and this same Chesapeake, that what is law in Canada is not law in New Brunswick, and that our lieutenant governors are powerless to do more than what such law prescribes.

Believe me, my dear sir, yours, very faithfully,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 23, 1865.

SIR: Her Majesty's government have considered, in communication with the law officers of the Crown, the note which you did me the honor to address to me on the 14th December last, relative to the apprentices of the Cuzco, and the determination come to by the United States government, not only to refuse compensation in the case of the two apprentices, but even to refuse to deliver them up, alleging as a ground for this refusal the proceedings of her Majesty's government in the case of the United States ship Iroquois.

I am now instructed to state that her Majesty's government are unable to follow the principle or reason of the resolution thus taken by the United States government.

They consider that the United States government must have been well aware, when the former application of Lord Lyons concerning these deserters was met by the liberal and satisfactory answer given to it, that their delivery was not and could not be claimed by her Majesty's government as of right, but could only be asked from the comity and good will of the United States government. It is in the power of the naval officers of the United States (as it would be in that of her Majesty's naval officers in a like case) to deliver up on the high seas, or in any foreign port, under the instructions of their government, deserters from foreign vessels who may without lawful authority be found on board one of the ships-of-war of the United States. This was all that was asked from the United States government, and this it was agreed should be done. But when a foreign deserter is *on shore* in Great Britain, (and her Majesty's government presume the case would be the same in the United States,) the power of her Majesty's naval officers and of her Majesty's government itself over him is at an end; he can then only be detained or delivered up for some cause authorized by the law of the land.

The case of the seamen of the Iroquois fell under this latter category, and the United States government when they agreed to give up the deserter from the Cuzco cannot well have supposed that desertion from a foreign vessel was an offence cognizable by the laws of Great Britain, so as to warrant the interference of any magistrate in this kingdom with the personal liberty of such a deserter, the case being clearly not provided for by the extradition treaty between the two countries.

Her Majesty's government instructed, therefore, their representative at Washington to ask for a thing which the United States government was legally competent to grant, in a matter not falling within the local jurisdiction of any court or magistrate of the United States, and the request was promptly and liberally acceded to.

I am directed, further, to state that the application to the magistrate at Dover was one which he was incompetent by law to grant; that it was made in a matter which could only be dealt with in the ordinary course of the law, and was refused, not for any want of comity towards the government of the United States, but from mere legal necessity.

It is of course for the government of the United States to judge what course is most suitable to their dignity and honor, but her Majesty's government, feeling what their conduct would be in similar circumstances, expect that when the difference of the two cases is explained, the government of the United States will consider their decision to retract the promise previously given.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 23, 1865.

SIR: Referring to my notes of the 7th and 17th instant, I have the honor to enclose for the further information of the proper authorities of her Majesty's government a copy of a despatch of the 13th instant, from M. M. Jackson, esq., the United States consul at Halifax, respecting the proposed hostile expeditions against the United States from Canada.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq, *&c., &c., &c.*

Mr. Jackson to Mr. Seward.

CONSULATE OF THE UNITED STATES,
Halifax, Nova Scotia, February 13, 1865.

SIR: I have the honor to inform you that since my telegrams to you I have endeavored to procure further information in relation to the designs of the rebels, now in Canada, upon our northern borders.

I have ascertained that the rebels, now scattered through several of the border towns in Canada, designed, some time since, making another raid from Canada into the United States, but their operations have been suspended to await the result of the judicial proceedings in the Canadian courts in the case of the St. Albans raiders. They aver, however, that the result of those proceedings will not defeat their plans; and that, at the earliest practicable period, they will attempt to carry them into execution.

I have been informed that one of the points to be attacked is Oswego, New York. They also make threats against Rochester.

The headquarters of these desperadoes are Toronto, Hamilton, Kingston, and the other towns upon or in the vicinity of the Canadian border.

I have no doubt they will attempt, the first favorable opportunity, to consummate their plans; their objects being both to plunder and injure the people of the loyal States, and to create trouble, if possible a war, between the United States and Great Britain.

I have the honor to be, sir, your obedient servant,

M. M. JACKSON, *U. S. Consul.*

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 23, 1865.

MY DEAR SIR: I have the pleasure of acknowledging the receipt of your letter of the 20th instant, informing me that you have telegraphed to the lieutenant governor of New Brunswick concerning the detention of Linus Seely, in accordance with my wish, and to express my satisfaction with your proceeding.

With reference to your suggestion relative to the propriety of taking measures to meet the requirements of the provincial law, I have to inform you that the business is already being vigorously prosecuted.

Believe me to be, my dear sir, very faithfully yours,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 24, 1865.

SIR: With reference to your note of the 8th instant, a copy of which I transmitted to the governor general of Canada, I have the honor to forward to you, herewith, copy of a despatch from his excellency, begging me to convey to you his thanks for the information respecting a reported organization at Cape Vincent, with a view to a marauding expedition upon Canadian territory.

I have the honor to be, with the highest consideration, sir, your obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Viscount Monck to Mr. Burnley.

QUEBEC, *February* 18, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of February 9, with copy of a note from the Secretary of State of the United States respecting a reported organization, at Cape Vincent, with a view to a marauding expedition upon Canadian territory.

I shall feel much obliged if you will convey to Mr. Seward my thanks for the information and for the steps taken by the authorities of the United States to frustrate the design.

I have, &c.,

MONCK

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 25, 1865.

SIR: With reference to your note of the 16th December last, relative to a requisition for the extradition of the St. Albans raiders on the government of New Brunswick, I beg to enclose copy of a despatch and of an enclosure from the solicitor general of the colony, which I would beg to recommend to your consideration.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Gordon to Mr. Burnley.

FREDERICTON, *February* 18, 1865.

SIR: I have the honor to inform you that I have, in compliance with the request of the Secretary of State of the United States, issued my warrant authorizing the arrest of Samuel Eugene Lackey, Squire Turner Travis, Charles Moore Swager, George Scott, Bennett H. Young, Caleb McDowall Wallace, James Alexander Doty, Joseph McGinty, Samuel Simpson Gregg, Dudley Moore, Thomas Bronsden Collins, Marcus Spurr, Alexander Pope Bruce, and William H. Hutchinson, under the provisions of the extradition treaty.

I think it right to put you in possession of the opinion with which the solicitor general, by whom the warrant was prepared, has at the same time furnished me.

I have, &c.,

ARTHUR H. GORDON.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Solicitor General to the Lieutenant Governor of New Brunswick.

FREDERICTON, N. B., *February* 8, 1865.

May it please your excellency, in obedience to your excellency's instructions I beg herewith to enclose the draught of a warrant against the parties therein named, under the imperial extradition act, 6 and 7 Vict., cap. 76. This warrant I have framed upon the requisition of the Hon. William H. Seward, addressed to the British chargé d'affaires at Washington, of date December 19, 1864, a copy of which your excellency submitted to me for my guidance. I must, however, inform your excellency that the requisition is defective in some important particulars, inasmuch as it does not name or specify any person or persons upon whom the crimes charged in the requisition, or any of them, have been committed, and also omits to mention the time of the commission of any of the said crimes; and, therefore, no complete offence is charged upon which a valid warrant can be based. For these reasons I am of opinion that no legal arrest of any of the parties named, for the causes alleged, can be made upon the papers as now submitted by the American authorities.

CHARLES WATTERS.

Hon. ARTHUR H. GORDON, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 25, 1865.

SIR: With reference to previous correspondence with the lieutenant governor of New Brunswick on the subject of the Chesapeake, I have the honor to enclose copy of a despatch of the 18th instant, which I have received from Mr. Gordon, transmitting copy of a report, made to his excellency by the high sheriff of St. John's, as to the steps taken by him to secure the apprehension of the captors of this vessel.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Gordon to Mr. Burnley.

FREDERICTON, *February* 18, 1865.

SIR: I have the honor to transmit for your information a copy of a report made to me by the high sheriff of St. John's, as to the steps taken by him to secure the apprehension of the captors of the Chesapeake.

I have also the honor to inform you that since the date of the report Linus Seely, one of the parties implicated, has been arrested at St. John's, and is now awaiting examination before one of the members of the high court of admiralty.

I have, &c., &c.,

A. H. GORDON.

J. H. BURNLEY, Esq., *&c., &c., &c.*

High Sheriff of St. John's to Provincial Secretary.

SHERIFF'S OFFICE, *St. John's, February* 8, 1865.

SIR: In reply to yours of the 7th instant, you will be kind enough to submit to his excellency the lieutenant governor the following, all the information I have in reference to the persons implicated in the seizure of the Chesapeake:

That when first the warrant of Mr. Justice Parker, of date March 16, 1864, was put into my hands, I called upon the chief of police of the city, requesting him to direct his men to arrest any of the parties whose names were in the warrant, which he said he would do; that on Sunday afternoon, in December last past, the American consul in St. John's called upon me, stating that George Wade, one of the parties, had arrived in the steamer running between Boston and this city some ten days previous. I immediately called on the chief of police informing him of the fact, communicated by the consul, and requesting the assistance of his force, which he acceded to, and directed the house of his, Wade's wife, to be watched; and I personally went to Loch Lomond, in this county, where his father resides, and caused a watch to be put on it and the neighborhood.

Shortly after I heard of his being in the cars on his way to Halifax, Nova Scotia, to ship as a sailor there. The two Coxes were reported at the same time to be making shingles in the woods near the road leading to St. Andrew's, for the arrest of whom I engaged the most likely persons I knew of, but without success, and could not gain even certain information of their being there, as they are difficult of identification, being but little known here; and I beg to assure his excellency that no pains shall be spared to arrest the parties should they be within this county.

I have, &c., &c.

J. A. HARDING.

Honorable S. L. TILLEY.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 25, 1865.

SIR: I have the honor now to reply to the note which you addressed to me on the 10th of January last concerning the case of the late James Hardcastle.

My communication of the 5th of November last was intended to be understood as expressing a final conviction of this government, that it could not justly be called upon to offer remuneration for the homicide of which her Majesty's government complained. Nevertheless, I have no disposition to regard with impatience the renewal of a question of so interesting a character by her Majesty's government. Earl Russell has so far concurred with this government in the matter as to conclude that no advantage would result from recapitulating the former argument, to which my last communication was intended to be a full reply. Nevertheless, Earl Russell adheres to his first positions, and instructs you to support them by new arguments foreign from the record.

Those arguments are drawn from a late publication of the United States Sanitary Commission in regard to rebel treatment of United States prisoners of war

Upon statements made in that publication her Majesty's government reason that, in this matter of Hardcastle, the government of the United States justifies the shooting of prisoners by its authorities in a case identical with one in which they condemn the like practice on the part of the rebels.

I have to remark upon that point that the pamphlet of the United States Sanitary Commission, although I acknowledge it is a very important and useful publication, is, nevertheless, one which was made, not by this government, or by its authority or sanction, but by enlightened and patriotic citizens, acting privately and independently of executive authority.

Her Majesty's government find in that paper a statement made by Major General Meigs, the Quartermaster General of the United States, to the effect that he has never heard, and does not believe, that orders exist in our service for shooting prisoners who appear at the windows of the prisons, and a further statement that such a regulation does not exist at Fort Delaware.

Major General Meigs is admitted to be very high authority in the United States. But he has no charge of the discipline of prisoners in the army, and very good reason can be seen why a less rigorous discipline might be adopted in the prison of Fort Delaware, far removed from the theatre of war and politics, than was actually found necessary in the Old Capitol prison, which is located at the seat of government, infested with spies and continually menaced by insurgent armies.

Her Majesty's government persist in regarding the offence of James Hardcastle against the discipline of the prison as having been one of inadvertence and unconsciousness. This government, on the contrary, is of the opinion that the offence was contumacious.

Her Majesty's government regard Hardcastle as a peaceful, innocent stranger. On the contrary, the settled conviction of this government is that he was an enemy of the United States. These remarks seem sufficient to show that the United States are justified in adhering to the views concerning the case of James Hardcastle which they have heretofore expressed.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, February 27, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 8th instant, requesting, with reference to the extradition of the St. Albans felons supposed to be lurking in the province of New Brunswick, that the United States consul at St. John's may furnish the lieutenant governor of New Brunswick with such information as will enable him to secure their apprehension, and to inform you that the suggestions of the lieutenant governor having been adopted, the United States consul at St. John's has been instructed accordingly.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *February* 28, 1865.

SIR: Her Majesty's government have had under their consideration the note which I did myself the honor of addressing to you on the 23d ultimo, relative to the cotton owned by British subjects at Savannah, and it seems proper at the present juncture that the views of her Majesty's government should be made perfectly clear to the United States government on this important question; a question which may engage the attention of her Majesty's representative here as southern towns successively fall into the hands of the Union forces.

Her Majesty's government observe in the outset that it is an uncontroverted proposition of international law that if a neutral subject has a just title to property found by a belligerent in a town which he has obtained by conquest from the enemy, such property is not liable to confiscation, and that this principle is simple and intelligible. War gives the belligerent a perfect right to capture the goods of his enemy, but none to capture the goods of his friend. That the principle does not depend upon the element on which the goods of the neutral happen to be in company with the goods of the enemy.

That the obligation to restore to the neutral owner his goods is equally binding upon the belligerent, whether he captures them in the ship or in the town of his enemy. Such are the general principles of law applicable to the case.

It is for the claimants to give clear proof that the goods in question are bona fide the property of the neutral, and that the neutral has not so conducted himself during the war as to have impressed upon himself the character of an enemy. In cases of real doubt and uncertainty, the belligerent would be justified in submitting the question of property to the investigation of the proper authority at home; but it would be, in the opinion of her Majesty's government, a great hardship imposed on the neutral owner to send the cotton from Savannah to New York for this purpose, and the act would be an unfriendly one on the part of the United States Executive, unless there were a real and well-founded apprehension that the cotton might be subject to recapture by the enemy at Savannah while the question as to its ownership was pending and undecided; but if, on the other hand, there be really no doubt that these bales of cotton do belong to a neutral owner, and that they can be distinguishable on the spot by ordinary measures, the arbitrary transfer of the cotton to New York would be a subject of legitimate complaint on the part of the government of the neutral owner.

In the note which I had the honor to address to you on the 7th instant, I then took occasion to remark that the action of the military authorities at Savannah was prejudicial to the rights of the owners, and that I did not clearly see how such owners were to make out their case, even before a proper court, if hindrances were placed in their way towards registering those claims.

I must, therefore, pending further instructions from her Majesty's government, and information as to the actual transfer of cotton to New York, protest as directed against any compulsory sale of that which is claimed by British owners.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c.*, *&c*, *&c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 1, 1865.

SIR: I have the honor to enclose for the information of his excellency, Viscount Monck, a copy of a communication of the 25th ultimo from M. ———,

esquire, of Cincinnati, Ohio, indicating parties who would be likely to give important evidence in regard to the plots and hostile expeditions in Canada against the peace of the United States.

I must request that the name of the person furnishing the information may be regarded as confidential.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 2, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 25th ultimo, which is accompanied by a copy of a communication of the 18th ultimo from the lieutenant governor of New Brunswick, respecting the impediments in the way of the extradition in that province of Samuel Eugene Lackey and others, who were engaged in the St. Albans outrages, and whose extradition was requested in my note of the 19th of December last. When that note was addressed to you it was supposed that the felons who were the subjects of it had fled to New Brunswick, but it subsequently appeared that they were in Canada, and their re-arrest was effected. This state of facts renders it unnecessary to provide evidence in the case; but I would recall your attention to the fact that even if it had been necessary according to past usage, I referred you for such evidence, at the conclusion of my note of the 19th of December last, to the papers which were enclosed in my previous note of the 21st of November, namely, the certified copies of complaints and warrants issued in the courts of Vermont, which gave all of the facts and charges in due legal form, and which are understood to have been forwarded by you to the authorities in Canada, where it is presumed legalized copies of them could have been obtained by the authorities of New Brunswick.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 3, 1865.

SIR: I have the honor to enclose herewith a copy of a despatch of the 24th ultimo, from the consul general of the United States at Havana, relative to the movements of a schooner called the Gypsy, which vessel, upon arriving at Nassau, it is supposed, will be fitted out by insurgent agents to depredate upon American commerce. I beg to request that you will, without loss of time, call the attention of the proper authorities at Nassau to the matter.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Minor to Mr. Seward.

UNITED STATES CONSULATE GENERAL,
Havana, February 24, 1865.

SIR: A few days since a schooner called the Gypsy came over here from Key West, Florida, and was sold to a man by the name of Barney Pennington. On the 23d instant she left here for Nassau. Last evening I received information that she took quite a large crew, and about fifty passengers, among them some desperate characters. Her commander is Captain Lorent, formerly commanding the schooner Dart, which was captured a few months since off the coast of Florida. My informant further stated that Captain Jacobs, of the Maria, just left for the west coast of Florida, owned an interest in her. I am inclined to believe that on her arrival at Nassau she will be fitted out as a piratical vessel, to prey upon the commerce of our country. The schooner is a very fast sailer; length, 120 feet; beam, 23 feet; hold, 9 feet; fore-and-aft schooner rigged. Lorent will probably leave her at Nassau, and Pennington, from Newark, New Jersey, take command.

I have communicated this information to Admiral Stribling and Commodore Palmer, and to Collector Draper, of New York, and in the envelope to Collector Draper have sent a letter to T. Kirkpatrick, esq., United States consul at Nassau, requesting the collector to transmit it at the first opportunity.

I have the honor to be, very respectfully, your obedient servant,

WILLIAM T. MINOR.
United States Consul General.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 3, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 25th ultimo, in regard to the arrest of Seely, one of the captors of the Chesapeake, and the steps taken by the authorities of New Brunswick to secure the arrest of others of the party. In reply, I have the honor to inform you that the diligence and friendly action of those authorities are highly appreciated.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 23d ultimo, relative to the case of the two apprentices who deserted from the British ship Cuzco, and to inform you that I have submitted a copy thereof to the Secretary of the Navy for his consideration.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 1st instant, relative to the information furnished by Mr. ———— in regard to the

hostile expeditions in Canada against the peace of the United States, and beg to state, in reply, that I have addressed a confidential communication on the subject to his excellency the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 6, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 24th ultimo, and of its accompanying copy of a despatch of the 8th ultimo from the governor general of Canada.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 6, 1865.

SIR: Credible information having been received at this department that Vernon G. Locke, charged with the commission of the crimes of piracy and murder on board of the United States merchant steamer Chesapeake, is now a fugitive from the justice of the United States at Nassau, where he is at present held under arrest, I have the honor to request, through you, sir, that, conformably with the provisions of the tenth article of the treaty of Washington, her Britannic Majesty's government will be pleased to issue the necessary warrant for the delivery of the aforenamed Vernon G. Locke to any person or persons duly authorized to receive him, in order that he may be brought back to the United States for trial.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 6, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the month of February last, which gives me certain views of her Majesty's government in relation to assumed claims of British subjects upon cotton which is reported to have been captured in Savannah. I shall cheerfully file your note in this department, without questioning the character of a protest which you assign to it.

I must, however, at the same time, be excused for declining to enter into a correspondence on the subject until some definitive claim shall be presented by some persons who shall show themselves to be British subjects, shall establish at least, by *prima facie* evidence, their ownership of some certain quantity of cotton, and shall also establish the fact that during their residence within the insurgent lines they have maintained the character of neutrals in the present civil war. Nor can I now admit that this government is under any obligations, by the law of nations, to leave to the chances of war in Savannah any cotton which was surrendered to it in the capitulation of Savannah, even though such cotton were distinctly claimed, designated, and pointed out to government agents by persons professing to be neutrals; nor do I think it can be conceded that the United States must now answer to professed neutrals or others whether they regard the city of Savannah as permanently or only as temporarily occupied by the army of the United States. I am still further from being able to admit that those who allege themselves to be the owners of the cotton in question have a right to expect that the government shall hold the same in store, at the pleasure of the claimants. On the other hand, this government insists that it has a right to deal with all property surrendered in the capitulation aforementioned as it shall deem expedient, holding itself accountable in this, as in all other cases, to persons loyal or neutral, if they shall ultimately establish a lawful claim in a fair tribunal recognized by this government.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 7, 1865.

SIR: With reference to the case of Linus Seely, now under arrest at St. John's, New Brunswick, I have the honor to inform you that, in view of the proceedings heretofore adopted in regard to similar cases, it is considered proper that I should inform you that this government expects either a surrender of the fugitive or a fair trial in New Brunswick if the surrender is declined.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*, *&c.*, *&c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 7, 1865.

SIR: I have the honor to acknowledge receipt of your note of the 2d instant, relative to the extradition of the St. Albans raiders from New Brunswick, and to state that I have communicated the substance of its contents to his excellency the lieutenant governor.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c.*, *&c.*, *&c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 7, 1865.

SIR: With reference to my note of the 31st of January, I have the honor to transmit to you copies of a despatch, and of its enclosures, which I have received from his excellency the governor general of Canada, relative to the vessels Almandares and Pinero, alleged to be intended for the naval service of the so-called Confederate States.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

QUEBEC, *February* 28, 1865.

SIR: Referring to my despatch of the 24th of January, I have the honor to transmit to you copies of a report from the attorney general for Canada East, and of a letter from the collector of customs at the port of Montreal, relative to the vessels Alamandares and Pinero.

I shall feel much obliged if you will communicate this information to the Secretary of State of the United states.

I have, &c., &c.,

MONCK.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Cartier to Viscount Monck.

CROWN LAW DEPARTMENT,
Quebec, February 28, 1865.

The undersigned has the honor, in addition to his report of the 24th ultimo, to transmit to his excellency the governor general copy of a letter, with enclosure, received from the collector of customs at Montreal, in relation to two vessels, Almandares and Pinero, the former of which is reported as having been sold to Spanish subjects at Havana, and the latter, still lying in the Lachine canal, as having been transferred by bill of sale to a gentleman residing in the city of Montreal.

GEORGE E. CARTIER.

ATTORNEY GENERAL, *L. C.*

Mr. Holmes to Mr. Futroye.

CUSTOM HOUSE, *Montreal, February* 21, 1865.

SIR: With reference to your letter dated 28th December last, requiring to be informed, for the information of the honorable the attorney general, of any facts thereafter coming to my knowledge touching the vessels El Almandares and Pinero, I beg to say, this morning's mail brought me back the registry of the Almandares, with advice of her transfer at Havana.

Enclosed is copy of letter of advice.

I have, &c.,

BENJ. HOLMES, *Collector.*

GEORGE FUTROYE, Esq.,
Clerk of Crown Law Department, Quebec.

P. S.—The Pinero still lying in the canal, but has been transferred by bill of sale to Joseph Tiffin, jr., of this city.

B. H.

Mr. Bunch to the Registrar.

HAVANA, *February* 8, 1865.

SIR: I have the honor of transmitting to you herewith the British certificate of registry of steamer Almandares, official number 46,257, of your port, sold this day to Spanish subjects for $81,340, currency of Canada.

I remain, &c.,

JOHN BUNCH, *Consul General.*

The REGISTRAR, *Montreal, Canada.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 7, 1865.

SIR: With reference to your note of the 19th ultimo, calling my attention to suspicious circumstances attending the sale of the steamer Georgiana, I have the honor to enclose a copy of a despatch which I have received from his excellency the governor general of Canada on this subject.

I have the honor to be, with the highest respect, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Lord Monck to Mr. Burnley.

QUEBEC, *February* 28, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of the 22d instant, and its enclosure, relative to the purchase of the steamer Georgian, or Georgiana, by Mr. Denison, of Toronto.

I have the honor to state, in reply, that I had been already made aware of the change in the ownership of this vessel, and that a close watch has been kept, and will continue to be kept by the Canadian authorities, on any proceedings connected with her, in order to take the proper legal steps should any suspicious facts be disclosed.

I have, &c.,

MONCK.

J. H. BURNLEY, Esq.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 8, 1865.

SIR: Information, considered reliable, has been received at this department, that five blockade-running steamers, which recently cleared from Nassau to St. John's, New Brunswick, were so cleared with a view to conceal their real destination, and that they are to touch at some point on the Bahamas or elsewhere, where arms and ammunition are in readiness for them, and that upon receiving such armament they are to co-operate with iron-clads and rams expected from European ports, in committing depredations upon the cities and the property of the people of the loyal States. I will thank you to notify the authorities of the Bahamas of these facts, and I hope that such measures may be adopted as will prevent the armament of the vessels referred to being taken from the Bahamas or other British ports.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 9, 1865.

SIR: With reference to your notes of the 7th and 17th ultimo, relative to the information furnished to you by the United States consul at Halifax, respecting projected raids into the United States territory, I have the honor to enclose a copy of a letter which was addressed by his excellency the governor of Nova Scotia to the United States consul, as to the necessity of giving him in the first instance the earliest intelligence of any raid into the United States contemplated by parties connected with that province, either as transient travellers or otherwise.

His excellency further observes, that if there existed any similar and proved necessity for investing the governor with extraordinary powers as in Canada, the legislature would not hesitate to give them; but that, at present, from the best information which he can procure, he has reason to think that no such powers are required in Halifax.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Daly to Mr. Jackson.

GOVERNMENT HOUSE,
Halifax, N. S., February 18, 1865.

SIR: The lieutenant governor, Sir R. G. Macdonnell, has this day received a letter from the British chargé d'affaires at Washington, transmitting a copy of a telegram sent by you on the 7th instant to Mr. Seward, representing that another raid into the United States from Canada is in contemplation.

His excellency instructs me to remind you that on the 2d of January you had interviews with him in reference to the existence of a supposed conspiracy here by parties contemplating a raid into the United States from Canada, which you had similarly represented to Mr. Seward, who immediately transmitted, through the English embassy, a copy of that communication to his excellency.

The lieutenant governor informed you on that occasion of his earnest desire to assist by all means in his power to prevent this province being made a centre for intrigues against a neighboring and friendly State. He understood, therefore, that you would not fail to communicate with him on receipt of any reliable information connected with illegal associations in this province, intended to disturb the peace or assail the property of the neighboring States.

His excellency, therefore, desires me to suggest, that there is something incongruous and inconvenient at his continuing to receive from Washington information which, if it concerns any persons in this province, might obviously be more usefully communicated to this government, than by a circuitous route, and a delay of nearly a fortnight. In all such matters promptitude of action is the thing most needed.

The lieutenant governor would, therefore, feel obliged by your taking an early opportunity of waiting on him, and fully explaining the nature of the proceedings contemplated by parties hostile to the United States; that he will endeavor to counteract such plots on British ground, so far as any action for that purpose can be taken by this government.

I have, &c.,

M. BOWES DALY,
Private Secretary.

U. S. Consul JACKSON, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 9, 1865.

SIR: With reference to my note of the 4th November last, and to your reply of the 14th December, relative to John Warrington, who was then a convalescent

patient at the general hospital at Fortress Monroe, I have the honor to enclose copy of a letter from Mr. Adderly, which has been transmitted to me by her Majesty's principal secretary of state for foreign affairs, in which it is stated that the parents of the young man are willing to give any sum up to fifty pounds for his discharge, which Mr. Adderly will guarantee.

I am accordingly instructed to inquire upon what terms John Warrington's discharge can be effected, and shall feel obliged by your favoring me with this information.

I would also beg to be informed whether his present address is the one given in the enclosure from Mr. Adderly, as a letter is lying for him at this legation.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Adderly to Mr. Layard.

THIRTY-FIVE, EUTIN PLACE,
February 17, 1865.

DEAR MR. LAYARD: I enclose a letter to the man in the federal army of whom I spoke to you, which you were so good as to say you would have forwarded.

His parents are ready to give any sum up to £50 for his discharge, which I will guarantee. The man received $300 on the 2d of March, 1864, as half of his bounty-money, and $13 a month's pay ever since.

He enlisted for three years. His address is as on the enclosed letter.

G. B. ADDERLY.

A. H. LAYARD, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 9, 1865.

MY DEAR SIR: In response to your official note of the 7th instant, and referring to Mr. Gordon's despatches of the 7th and 18th ultimo, communicated to you on the 15th and 25th ultimo, about Linus Seely, of the Chesapeake, you may depend upon it that the lieutenant governor of New Brunswick will do what he properly can, in conformity with the laws of the province, either to surrender the criminal or to bring him to trial in the province. Everything, however, must depend upon the nature of the evidence to be produced against him, and, as in your private letter of the 23d ultimo you inform me that measures were being taken to meet the requirements of the provincial law, I presume that the United States consul at St. John's has already received his instructions accordingly.

It may, however, be well to observe here that this same man was, with the other captors of the Chesapeake, examined before the police magistrate last year and committed for extradition; but that committal was overruled by a judge of the supreme court on the ground (among others) that the offence was cognizable by the courts of New Brunswick, and this ruling has since received the sanction of of the English judges, who, in a precisely similar case of the Joseph L. Gerrity, pronounced this summer a similar judgment.

I am, therefore, inclined to think that if Seely is committed by Judge Parker it will not be for extradition, but for trial in the province of New Brunswick.

Believe me to remain, my dear sir, yours, very faithfully,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 11, 1865.

SIR: I communicated to the governor general of Canada a copy of your note of the 23d of February, relative to alleged plans of persons residing in Canada for making hostile incursions into the United States, and I have now the honor to transmit a copy of his excellency's reply.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

GOVERNMENT HOUSE,
Quebec, March 4, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of the 25th February, covering copies of a note and enclosures from the Secretary of State of the United States respecting the alleged formation by persons residing in Canada of plans for making hostile incursions into the United States. I beg that you will inform the government of the United States that I shall continue to use every exertion to prevent the execution of such projects.

I have, &c.,

MONCK.

J. HUME BURNLEY, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 13, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 9th instant, which relates to the proceedings in the case of Linus Seely, one of the pirates of the Chesapeake. I accept with pleasure the assurance you give me that this offender will be dealt with according to law.

I am aware of the two important facts mentioned in your note, namely, that Seely was once before arrested in New Brunswick, and was released by a provincial judge, and that a similar discharge of the pirates of the J. L. Gerrity was affirmed by the court of Queen's Bench in England. It must not, however, be understood that this government assents to the constructions of the extradition compact which the colonial judges and the judges of the realm thus adopted; that question must abide the test of further examination. In the mean time I have to remark, that in the case of Seely, as well as that of the pirate of the J. L. Gerrity, extradition was denied because the culprits were amenable to the municipal laws of New Brunswick and of Great Britain, respectively; and yet the first and only points of the decision in each case were that the culprits should be set free from all duress, or rearrest, or prosecution, to renew their crimes upon the ocean. We protested against that course of proceeding in each of the cases as an absolute denial of international justice most unfriendly to the United States. It is, moreover, a sincere satisfaction to have your assurance that the precedents thus set will not be followed by the authorities of New Brunswick on the present occasion.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 13, 1865.

SIR: I have received your note of the 9th of March, which relates to John Warrington, a British subject, whose parents desire that he may be discharged from a voluntary enlistment in the United States military service.

A copy of a letter, signed by B. Adderly, accompanies your note, and tenders his personal guarantee for the performance of certain conditions proposed therein. The letter shows that it is this person Adderly who is engaged in moving her Majesty's government for their good offices in this case.

Among those British subjects who were the first to institute a contraband trade with the insurgents, in violation of our laws, and in contempt of the Queen's proclamation, is a house established in Nassau and Liverpool, under the name of Adderly & Co. It is presumed that the name in the present case is connected with that house. I will thank you to inquire whether this is the fact. If so, I must ask that the case be relieved of the intervention of Adderly. I cannot treat, directly or indirectly, with a person who is so vicious as to dishonor his own country and send desolation abroad through mine upon the motive of commercial gain. I desire that the British nation may understand that, since they divide in regard to the United States, we do not confound the just and the good with the unjust and depraved.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 14, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant, enclosing a copy of a despatch from his excellency the governor general of Canada, in regard to the steps taken by the authorities under his control to guard against the steamer Georgiana getting into the hands of parties hostile to the United States.

I will thank you to express to his excellency the satisfaction with which this government views his prompt and friendly action in the matter.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 14, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 9th of March, with its accompaniment, namely, a copy of a letter addressed to you on the 18th of February last by the private secretary of his excellency the governor of the province of Nova Scotia.

A word of explanation will clear up the difficulty to which the governor refers. Our consuls in the provinces have no political functions. A proper deference to the authority of the imperial government forbids any direct correspondence between even this government and the local authorities in the provinces, much more does it prohibit voluntary correspondence between our consuls and those authorities. Hence the circuitousness of our habitual mode of communication. The consul at Halifax addresses the department, I address you, and you, under the leave of your home government, communicate with the governor of Nova Scotia at Halifax. It is, however, competent for her Majesty's government to assent to modification of the prevailing forms under special circumstances, and I clearly see that these circumstances now exist in regard to the designs and operations of disloyal citizens and their abettors to imperil the peace of the two nations. I shall, therefore, in compliance with your expressed wish, instruct the consul at Halifax that, for the present, he will in all cases promptly and frankly make known to the governor general whatever he may learn that shall be important to be known by him in preventing hostile proceedings in the province of Nova Scotia against the United States.

I refer briefly to another subject mentioned by the governor. He thinks that Nova Scotia is in a different case from Canada with reference to the United States, and, therefore, that there is no need in the former province for such legislative action, with a view to the maintenance of neutrality, as has been so promptly and honorably taken in the province of Canada. It is true that hostile raids, like that of St. Albans, have not been and are not likely to be made into our country from Nova Scotia. But, on the other hand, Halifax has been for more than one year, and yet is, a naval station for vessels which, running the blockade, furnish supplies and munitions of war to our enemy, and it has been made a rendezvous for those piratical cruisers which come out from Liverpool and Glasgow, to destroy our commerce on the high seas, and even to carry war into the ports of the United States. Halifax is a postal and despatch station in the correspondence between the rebels at Richmond and their emissaries in Europe. Halifax merchants are known to have surreptitiously imported provisions, arms, and ammunition from our seaports, and then transshipped them to the rebels. The governor of Nova Scotia has been neutral, just, and friendly; so were the judges of the province who presided on the trial of the Chesapeake. But then it is understood that, on the other hand, merchant shippers of Halifax, and many of the people of Halifax, are willing agents and abettors of the enemies of the United States, and their hostility has proved not merely offensive but deeply injurious. When Nova Scotia ceases to abet our enemies, she will find that we cherish no memory of her past injuries. But, on the other hand, merchants of the United States must be allowed to navigate the seas in security, and our citizens at home must be allowed to pursue their avocations without interference from the port of Halifax, before this government can be reasonably expected to favor trade and intercourse with the people of Nova Scotia.

I have the honor to be your obedient servant,

WILLIAM H. SEWARD.

J. Hume Burnley, Esq., &c., &c., &c.

Mr. Burnley to Mr. Seward.

Washington, *March* 14, 1865.

Sir: Information which has reached her Majesty's government leaves no room for doubt that an extensive conspiracy on the part of the so-called Fenian Brotherhood is being openly carried on in the United States, having for its object to promote rebellion in Ireland, and to forward from the United States assistance to the rebels in money, men, and arms.

The accounts given in the public papers of what passed in public meetings held in the United States for these avowed objects, coupled with allusions to the means by which they are to be carried out, must surely have attracted the attention of the government of the United States, and her Majesty's government might reasonably have expected that while the government of the United States so loudly protest against the proceedings of confederate agents in this country, which are conducted with the utmost secrecy, and while it imputes blame to the British government for not having put a stop to practices of which they had no previous knowledge, and for not exerting powers of repression beyond the law, the United States government should at least have shown their disapprobation of such hostile declarations against the peace and security of the Queen's dominions.

On the contrary, it is notorious that an officer of the army of the Potomac, Colonel J. H. Gleason, formerly of the Irish brigade, was recently allowed to absent himself from his military duties for a period of twenty days, by the Secretary of War, in order that he might have time to attend one of the meetings of the Fenian Brotherhood, appointed to be held at Chicago. And still more recently at New Orleans, Attorney General Lynch attended a local Fenian meeting on the 28th of January, and took an active part in its proceedings.

Whatever may be thought of these public meetings, as an unmistakable sign on the part of those who attend them of hostility to Great Britain, it might perhaps be difficult under the Constitution of the United States to prevent or to interfere with such meetings. But the attendance of persons in the military or civil employment of the general government of the United States, or of the government of any particular State of the Union, would seem to show that the government itself participates in these feelings of hostility to Great Britain.

It becomes, therefore, my duty to say that her Majesty's government trust that the attendance of military and civil officers in the employment of the United States government, and of the State governments, at the meetings of the Fenian Brotherhood, will be disapproved by the government of the United States, and will in future not be permitted.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant.

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 15, 1865.

SIR: With reference to the case of Bennett G. Burley, who has been given over by the Canadian authorities to the United States government under the extradition treaty, on a charge of robbery, her Majesty's government have recently had under their consideration, in communication with the proper law advisers of the Crown, a statement forwarded to them by a member of the House of Commons, at the request of Burley's father, relative to his son, from which it would seem that fears are entertained that Bennett Burley will not be tried before the United States courts on the charge of theft, but on a charge of piracy, and Mr. Burley, senior, asks for the good offices of her Majesty's government on behalf of his son, in so far as that he may not be tried on any other charge than that on which the claim was made for his extradition.

Her Majesty's government having considered this application, are of opinion that if the United States government, having obtained the extradition on the charge of robbery, do not put him on his trial upon this charge, but upon

another, viz., piracy, which, if it had been made before the Canadian authorities, they might have held not sufficiently established to warrant his extradition, this would be a breach of good faith against which her Majesty's government might justly remonstrate.

Her Majesty's government are therefore willing, should the grounds upon which Burley is to be tried take the above turn, to comply so far with the application of Mr. Burley, senior, as to instruct me to protest against any attempt to change the ground of accusation upon which Burley was surrendered in pursuance of the treaty.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 15, 1865.

MY DEAR SIR: Would you permit me to recall your attention to my note of the 28th January, enclosing copies of despatches elucidatory of Earl Russell's slave trade despatch, No. 9, of which I left you a copy, relative to the joint invitation to powers declaring slave trade piracy.

Believe me to remain, my dear sir, yours, very faithfully,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 15, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 14th instant, in regard to the alleged proceedings of a society called Fenian Brotherhood, and to inform you, in reply, that it will receive immediate attention.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 16, 1865.

MY DEAR SIR: Your communication of the 28th of January last, and your letter of yesterday, relative to the joint invitation to powers to declare the slave trade piracy, has been received. I regret to inform you that the pressure of business at the short session of Congress rendered it impossible to submit the papers to them. It will be taken into consideration by the President when another Congress is about to assemble. You may assure her Britannic Majesty's government that the disposition is good to effect an absolute and universal suppression of the trade in human beings.

Believe me to be, my dear sir, very faithfully yours,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

[Memorandum.]

With reference to a note from the British legation of the 4th November, and to a reply of the 14th December last, relative to John Warrington, who was then a convalescent patient at the general hospital at Fortress Monroe, the British legation would be glad to be informed upon what terms John Warrington's discharge can be effected from the United States army, as it is stated that the parents of the young man are willing to give any sum up to fifty pounds to effect his discharge.

This legation would also be glad to be informed what his present address is, with a view of forwarding to him a letter.

BRITISH LEGATION, *March* 16, 1865.

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 16, 1865.

SIR: The President's proclamation of March 14, directing all non-resident foreigners who now are or hereafter shall be found in the United States, and who have been or shall have been engaged in violating the blockade of the insurgent ports, to leave the United States within twelve days from the publication of this proclamation, has engaged very earnestly my attention, and I cannot but think that the second clause may meet with serious comment on the part of neutral powers, whose subjects may be found in the category of those who have been or are now engaged in running the blockade.

I would therefore submit for your consideration, subject of course to the approval or disapproval of her Majesty's government when the proclamation reaches them, the enclosed memorandum, embodying what seems to me the objectionable portions of it.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

[Memorandum upon the President's proclamation of March 14, 1865.]

To the first clause of the proclamation there can be no great objection by foreign powers, since its operation is restricted to citizens of the United States and domiciled aliens, the latter class being substantially, in the absence of treaty stipulations distinguishing them, treated as the citizens or subjects of the country.

But the second clause seems to be of a very grave character, and wholly inadmissible as attempting a dangerous innovation upon the established principles of international law.

The Supreme Court, in all the prize cases, has founded its judgments of "lawful prize" on the recognized existence of a war of course between two belligerents. On no other base could the decision have been maintained, and it is plainly announced in the first of them.

Trade with an enemy of the United States (excluding the case of domiciled

aliens who cannot be considered neutrals) can only be interrupted according to the laws of nations, and incurs only the penalties imposed by that law.

The mode of interruption may be by blockade actual, not merely declared or by legislation, closing certain ports if not inconsistent with treaty stipulations.

But nothing is better settled than that, as in this case, the sole penalty as to neutrals of violating the blockade is the capture and condemnation of the vessel and cargo (one or both) before the completion of the voyage.

If the blockade be successfully run, and the voyage be ended, it was never heard of that a subsequent seizure of the vessel on that account could be justified.

The capture and condemnation are not in the nature of punishment, as understood in the municipal law, but as the exercise of a purely belligerent right.

Nor in the case of lawful capture during the voyage are the persons engaged and actually found on board, liable to punishment or other molestation than detaining them reasonably as witnesses.

But the proclamation assumes to make every British owner of a blockade-runner, or of the cargo, liable to a personal punishment.

He may be ordered out of the country summarily if he was part owner of a vessel so employed three years ago, and may be imprisoned indefinitely. If he fails to go away he may be arrested, committed to a military prison, and detained indefinitely, with no right of trial, and no conceivable offence alleged against him, and no hope of release until the will of the President may direct it.

This clause of the proclamation seems wholly unwarranted by any respectable precedent, or any recognized principle of international law.

BRITISH LEGATION, *March* 16, 1865.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 17, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 16th of March, in relation to the President's proclamation banishing blockade-runners from the United States.

Willing in this, as in all other cases involving international questions, to hear and consider the views of her Majesty's government, I must be content at the present moment to say that I am aware of no treaty or principle of public law which requires a country engaged in civil war to yield asylum to those who give aid and comfort to the internal enemy. The United States have suffered too many evils and dangers from the class of persons mentioned to allow them the privileges cheerfully awarded to all unoffending exiles.

I have the honor to be, with high consideration, sir, your obedient servant,
WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 18, 1865.

SIR: With reference to my note of the 6th ultimo, and to your reply of the 17th ultimo, on the subject of Captain Scanlan's cotton, I would beg to trouble you with a copy of a letter of the 28th ultimo, which I have received from him, and extract of an anterior statement, which I would wish to be considered in connexion with his case.

I have no doubt that the Treasury Department will do all that is right and just in the matter, and see that Captain Scanlan is fairly and honorably dealt by.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Scanlan to Mr. Burnley.

MEMPHIS, *Tennessee, February* 28, 1865.

SIR: I have seen a letter from the Secretary of State of the United States to the Secretary of the Treasury, calling his early attention to your official communication in my case, and the instructions of the letter to the general supervising agent here, authorizing him to act on the matter.

I understand he has referred the case back again to the Secretary of the Treasury for final action, with the suggestion that all others in the same district were equally entitled to the privilege I asked. These people, with very few exceptions, are now petitioners for pardon for past treasonable acts towards their government. Moreover, they cannot exhibit any written contracts with the agents of the government.

I am inside the lines of the federal navy, and recognized as such by the military authorities, who are presumed to be the proper judges.

The supervising agent here gave a neighbor of mine, a Mr. Dunlop, living eight miles from the river, a permit to ship his cotton to New York; also a Mrs. Dale. The former could not be considered as inside the lines of the federal navy, and neither had a contract with the authorized agent of the government. I could mention several cases of the kind. Nay, even certain speculators have the right to buy and ship my cotton without giving it over to the purchasing agent of the government. If I am obliged to deliver over my cotton now in this city, it will realize less than if I sold it to the speculators referred to on my plantation. Cotton placed in the hands of the purchasing agent may net thirty-five cents per pound, while the speculator, having the right to buy and ship without this restraint, would give fifty cents per pound for it on my plantation. Captain Watson, commanding the gunboat Hastings, can testify that he shelled guerillas who were taking by force some of my cotton. What they had taken they sold to a speculator belonging to the firm of Parkman, Apperson & Co. This firm, because this cotton went through the singular process of being unjustly seized by guerillas, were permitted to ship said cotton, while that right is denied by Mr. Orme.

If I be forced to give my cotton into the hands of the purchasing agent here, it will be as flagrant a breach of faith and as base an injustice as was ever perpetrated on any subject of any friendly neutral power. I have been always friendly to the United States, have been well treated by her military officers, and trust that no adverse decision will be come to affecting very materially my pecuniary interests.

I have, &c.,

W. E. SCANLAN.

J. H. BURNLEY, Esq., *&c., &c.*

Mr. Scanlan to Mr. Burnley.

WILLARDS' HOTEL, *February* 6, 1865.

SIR: There was passed in the United States Congress last July an act to purchase at certain points products of insurrectionary States. In the one article of cotton alone, after deducting the tax, which is 6*d.* per pound, and the expense of transportation to New York, which would be 12*d.* per pound, the purchasing agent at Memphis takes for the government one-quarter of the whole. This act of July excepted from this sale to the government all products raised by freedmen's labor.

Before the passage of this act, nay, even prior to the emancipation proclamation, I released from bondage the former slaves of my wife, and afterwards hired, from the United States superintendent of freedmen at Memphis, hands, with whose labor I raised the crop referred to. This was a solemn contract under their auspices, and as such ought to relieve me from the embarrassments to which those were subjected that favored slavery, and were intended to be reached by the act of July, 1864. This act was retrospective, the crop being grown ere it passed, and it excluded all persons from the necessity of turning their products over to the government who raised them with the labor of freedmen. The advancing the purposes of the emancipation proclamation renders one so obnoxious to the confederates that their personal effects are a prey to their incursions, which, together with the difficulties experienced

in obtaining permits for supplies, and the high prices at Memphis, nearly absorb the value of the products raised. The supervising agent at Memphis demands of me the same surrender of the products of my plantation as those who have hired no freedmen, and have been guilty of acts of hostility to the United States government.

To many of this class, who have not even hired their labor from the government, said agent has given permits to transport their cotton to New York without turning it over to the government. Moreover, he has given private speculators permits to ship cotton purchased from the confederate tax collector at one point on the river; to ship the cotton so purchased on their own account to New York. Among the cotton thus purchased and shipped was cotton pressed from me by this collector of customs or tenths of the confederates.

If these speculators should ship without hindrance cotton unjustly pressed from me by the confederates, ought not I to be permitted to ship mine, who raised it under contract with the acting officer of the government, and in furtherance of the proclamation of the President? It may be objected, first, that my plantation is not inside the federal lines; second, that my land should be leased from the government. The answer to my first would be that my plantation is on the banks of the Mississippi river, under cover of the gunboats of the federal navy, and embraced in the order of Major General Canby, commanding the whole department. Moreover, were it not considered inside their lines they would not hire to me freedmen to work on my plantation. With regard to the second objection, that the lands should be leased from the government, I beg to say that no mention is made in the act of July. This act merely excepts products raised by freedmen's labor, and defines that such products should be permitted to be forwarded to market on the applicant making affidavit that it was raised by the labor of freedmen, and that he is a loyal United States citizen. When I was offered a permit on signing that affidavit, I refused, and now, when this clause in the affidavit has been dispensed with, Mr. Orme inconsistently denies me the permit he first offered. If it should be set forth that copies of contracts with freedmen should be filed with Mr. Miller, I should say that this rule has been enunciated neither by proclamation nor by act of Congress.

W. E. SCANLAN.

JAMES H. BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 20, 1865.

SIR: I have the honor to enclose, for the information of the proper authorities of her Majesty's government, extracts from a communication of the 12th instant, addressed to the Secretary of War by Mr. ———, of ———, Canada West, in regard to alleged projected raid from Canada into the United States.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Lord Lyons.

DEPARTMENT OF STATE,
Washington, March 20, 1865.

MY DEAR LORD LYONS: I accept your farewell with sincere sorrow, but I reconcile myself to it because it is a condition of restoration of your health. All of my family command me to tender you assurances of sympathy.

I have never desponded of my country, of emancipation of her slaves, and of her resumption of her position as an agent of peace, progress, and civilization, interests which I never fail to believe are common with all branches of the British family. So I have had no doubt that, when this dreadful war shall be ended, the United States and Great Britain would be reconciled and become better friends than ever. I have thought that you are entitled to share in these great successes, as you have borne so great a part of the trials of the war.

But God disposes. I feel now that if I never find leisure to go abroad again, that you with renewed health will come here to see the reign of peace and order; so I shall not dwell upon our parting as a final one.

Faithfully your friend,

WILLIAM H. SEWARD.

The Right Hon. LORD LYONS.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 20, 1865.

SIR: I have carefully considered the communication concerning the society called by the name of the Fenian Brotherhood, which, by order of her Majesty's government, you addressed to me on the 14th of March instant.

In that paper you have denounced the aforesaid society as an extensive conspiracy carried on in the United States, having for its object to promote rebellion in Ireland, and to forward from the United States assistance to the rebels in money, men, and arms.

You have further stated that the accounts given in the public papers of what passed in public meetings held in the United States for their avowed objects, coupled with allusions to the means by which they are to be carried out, must surely have attracted the attention of the government of the United States, and her Majesty's government might reasonably have expected that while the government of the United States so loudly protests against the proceedings of confederate agents in Great Britain, which are conducted with the utmost secrecy, and while it imputes blame to the British government for not having put a stop to practices of which they have had no previous knowledge, and for not exerting powers of repression beyond the law, the United States should at least have signified their disapprobation of such hostile declarations against the peace and security of the Queen's dominions. Pursuing the same line of argument, you have observed, that on the contrary of what in your judgment might thus have been expected, it is notorious that an officer of the army of the Potomac, Colonel J. H. Gleason, formerly of the Irish brigade, was recently allowed to absent himself from his military duties for a period of twenty days, by the Secretary of War, in order that he might have time to attend one of the meetings of the Fenian Brotherhood appointed to be held at Chicago; and still more recently, at New Orleans, Attorney General Lynch attended a local Fenian meeting on the 28th of January and took an active part in its proceedings.

You have further remarked, that whatever may be thought of the public meetings thus referred to as an unmistakable sign on the part of those who attend of hostility to Great Britain, it might, perhaps, be difficult, under the Constitution of the United States, to prevent or to interfere with such meetings. But the attendance of persons in the military or civil employment of the general government of the United States, or of the government of any particular State in the Union, would seem to show that the government itself participates in their feelings of hostility to Great Britain. Standing upon this argument, you have informed me that her Majesty's government trust that the attendance of military and civil officers in the employment of the United States government and of the State governments at the meetings of the Fenian Brotherhood will be disapproved by the government, and will not in future be permitted.

The task of replying to these representations is rendered easy by the admission contained in them, in regard to the Constitution of the United States. That Constitution does guarantee to the people the right of assembling peace-

fully to discuss all questions, political as well as social, foreign as well as domestic. That right has only one limitation. The popular assembly must not disturb the public peace or violate the laws of the land or the law of nations. It has not appeared, and it is not represented in your communication, that any *corpus delicti* has been produced against the Fenian Brotherhood. Whatever be their purpose, it is not alleged or even understood that they have instigated any insurrection in Ireland, or sent out from the United States, for such a purpose, to that country or elsewhere, any money, men, or arms, or that any sedition or rebellion actually exists in Ireland. Should they attempt to violate the neutrality laws in regard to Great Britain, the laws of the United States, and regulations already sanctioned by the President, are ample to prevent the commission of that crime.

It is thus seen that a case has not arisen in which this government could with right, or ought to, interfere with the meetings of the Fenian Brotherhood. I may properly add that this government has no sufficient grounds to apprehend that any such case will occur, unless renewed and systematic aggressions from the British ports and provinces should defeat all the efforts of this government to maintain and preserve peace with Great Britain. Under these circumstances, any attempt to visit the Fenian Brotherhood with official censures is unnecessary, and therefore, in the belief of this government, would be as unwise as it would be manifestly unconstitutional. The attorney general of the State of Louisiana is responsible to the State government and the people of that State, exclusively of this government.

Colonel Gleason did, indeed, have leave of absence from the army for twenty days, but that leave was granted in the ordinary course of administration, without any knowledge by the War Department, or any other department of this government, that he was to attend a meeting of the Fenian Brotherhood. In the present view of the case, while this government has no hesitation in assuring the government of Great Britain that no hostilities will be allowed to be committed against any portion of that country, it does not think that the interests of international peace require any special proceedings in that direction.

I must be excused for leaving unnoticed the allusions which your note contains in regard to an assumed hostility of this government towards Great Britain, and I pass over in the same manner the allusion which you have made to the many well-founded complaints which this government has heretofore presented of aggressions committed by British subjects against the peace and sovereignty of the United States. This government could not consent to weaken those complaints by entering, although even more directly invited, into an argument of recrimination.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 20, 1865.

SIR: I recur to your note of the 15th of March, which relates to Bennett G Burley.

The honorable the Attorney General informs me that it is his purpose to bring the offender to trial in the courts of the States of Ohio and Michigan, for the crimes committed by him against the municipal laws of those States, namely, robbery and assault, with intent to commit murder. He was delivered up by the Canadian authorities upon a requisition which was based upon charges of those

crimes, and also upon a charge of piracy, which is triable not by State courts, but by the courts of the United States. I am not prepared to admit the principle claimed in the protest of her Majesty's government, namely, that the offender could not lawfully be tried for the crime of piracy under the circumstances of the case. Nevertheless, the question raised upon it has become an abstraction, as it is at present the purpose of the government to bring him to trial for the crimes against municipal law only.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 20, 1865.

SIR: The present position of British subjects at Charleston, as reported to me by her Majesty's acting consul at that port, causes me very great anxiety. You will perceive by the enclosed copies of despatches from Mr. Walker, and of his correspondence with Colonel Woodford, the dilemma in which they are placed, by having either to take an oath of allegiance to the United States before they can resume their peaceable occupations, or leave the place altogether. Mr. Walker encloses an analysis of the register, for the purpose of showing the occupations of the several persons registered, and estimates the whole British population at fifteen hundred.

To require that all these people, some, of course, without the means of leaving the place, should summarily depart or take the oath required, seems to me unnecessary, making every allowance for the difficulties on a first occupation of the town, and I would venture to suggest, whether some intermediate measure might not be adopted which might allow those who are peaceably and friendly disposed to pursue their avocations, without the necessity of expulsion. Such a measure would show that the United States government was not actuated by any peculiar *animus* against British subjects, but are acting merely from a desire to discriminate between the friend and the foe.

Requesting the original affidavits to be returned to me, I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

Mr. Walker to Mr. Burnley.

BRITISH CONSULATE,
Charleston, March 7, 1865.

SIR: I have the honor to report the adoption of a regulation by the military authorities now holding this city, which bears with cruel hardship upon many of her Majesty's subjects.

The regulation is that no one shall be permitted to conduct any kind of business here without first taking out a license for the purpose, and that licenses shall only be granted to those who will swear allegiance to the government of the United States.

I had previously become aware of the fixed determination of the commandant to take this step, but the fact was first formally brought to my notice by John Fitzgerald, a copy of whose statement, under oath, I herewith enclose. I transmit also a copy of an affidavit to the same effect, taken from William F. Paddon, corroborated by the oaths of George Dowie and William McComb, all British subjects.

In consequence of Fitzgerald's complaint, I addressed a despatch to the commandant of the city, pointing out that the general adoption of the regulation referred to would preclude

every British subject from practicing his calling. That to expect British subjects to be so regardless of their duty to her Majesty as to take any oath of allegiance to a foreign government was not reasonable. Although, during the necessity for martial law, to expect the granting of privileges to those whose perfect amity had not been tested might also be regarded as wanting the force of reason, while the refusal of such privileges would, undoubtedly, bring upon her Majesty's subjects much distress and suffering, and therefore I inquired of him whether an option might not be allowed to her Majesty's subjects to return to her Majesty's dominions by (taking passage upon) the vessels which would be constantly leaving this port, and as to the regulations he might adopt on the subject. I have the honor to enclose a copy of my despatch.

I have this day received Colonel Woodford's reply, whereby he consents to grant papers to British subjects who have done no act affecting their neutrality, allowing them to proceed to other ports in the United States by vessels leaving this port, in order to return to her Majesty's dominions.

A copy of Colonel Woodford's reply is also enclosed herewith.

I have, &c.,

H. P. WALKER.

The SECRETARY *of her Majesty's Legation at Washington, D. C.*

Mr. Walker to Colonel Woodford.

BRITISH CONSULATE, *Charleston, March* 3, 1865.

SIR: I have the honor to make an inquiry of you in reference to a statement made to me to-day by John Fitzgerald, one of her Britannic Majesty's subjects.

This person informs me that being a mariner, and depending for subsistence upon his labor on the water, he made an application for a license to fish and gather oysters; that he made known the fact of his being one of her Britannic Majesty's subjects, but was, nevertheless, informed that such license could not be granted to him, unless he subscribed an oath of allegiance to the government of the United States. If this is so, the principle adopted, if generally carried out, will preclude every British subject from practicing his calling.

To expect British subjects to be so regardless of their duty to her Majesty as to take an oath of allegiance to a foreign government is not reasonable, although during the necessity for martial law to expect the granting of privileges to those whose perfect amity may not have been tested may also be regarded as wanting the force of reason; while, again, the refusal of such privileges will undoubtedly bring upon her Majesty's subjects much distress and suffering.

Therefore it is that with much regret I beg to inquire of you whether an option may not be allowed to her Majesty's subjects to return to her Majesty's dominions by the vessels which will be constantly leaving this port? And what may be the regulations, if any, that you may think proper to adopt on the subject.

I beg to add that those of her Majesty's subjects on whose behalf I have the honor to address you are those who had their residence in this section of the country anterior to the establishment of the blockade, and who have been prevented by it from removing.

I have, &c.,

H. PINCKNEY WALKER,
Her Majesty's Acting Consul.

Colonel WOODFORD, *United States Army.*

Colonel Woodford to Mr. Walker.

HEADQUARTERS, *City of Charleston, S. C., March* 6, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 3d instant, in which, after referring to the matter of granting trade permits by the military authority now holding the city of Charleston under martial law, you inquire of me whether her Britannic Majesty's subjects may not be allowed to return to her Majesty's dominions by the vessels leaving this port.

In reply, I would state that while no vessels are leaving here for British ports, I can see no objection to granting papers to British subjects who have done no act affecting their neutrality, allowing them to proceed to other places in the United States for which vessels may be leaving, from which they may be able to return to her Majesty's dominions, provided the granting of such papers does not, at the time, interfere with the use of our transports for military purposes.

I am, &c.,

STEWART L. WOODFORD,
Colonel 103, *United States Army.*

H. PINCKNEY WALKER, *&c., &c., &c.*

Mr. Walker to Mr. Burnley.

BRITISH CONSULATE,
Charleston, March 7, 1865.

SIR: I have the honor to submit for your consideration some remarks in reference to the requirements of an oath of allegiance to the United States government from her Majesty's subjects before permiting them to pursue any business whereby they may obtain a livelihood.

This practice affects all; no exceptions whatever are allowed; employment is even denied to the common laborer, unless he can produce a certificate that he has taken the oath. Permission, however, will be given to all to leave the port, but I humbly beg of you to consider how very inadequate the remedy is to the evil complained of, by presenting to your notice how very many there necessarily must be whose circumstances will not admit of their removing themselves.

From the registration that has been made at this consulate during the last fortnight under the circumstances mentioned in my former despatch No. 3, I am enabled to form an estimate of the number of British subjects now remaining in the city. Up to this time 352 names have been registered, and of these 188 are laborers and draymen, and many of the others are persons without the command of means in ordinary times, and at present quite destitute.

I enclose herewith an analysis of the register for the purpose of showing the occupations, &c., of several persons registered, making due allowance for wives and children. I imagine this British population may number as many as 1,500.

H. P. WALKER.

J. H. BURNLEY, Esq.,
&c., &c., &c., at Washington, &c.

Analysis of register showing the occupations, &c., of the British subjects at Charleston.

Merchants out of business	6
Salesmen, book-keepers, clerks, &c	22
Shoemakers	15
Laborers and draymen	188
Shopkeepers of all sorts	19
Carpenters	11
Merchants and general traders	11
Mariners	9
Single women	8
Widows	13
British half-pay officer	1
Physician	1
Taxidermist	1
Machinists, engineers, and other unenumerated handicraftsmen	47
Total	352

Deposition of John Fitzgerald.

BRITISH CONSULATE, *Port of Charleston:*

John Fitzgerald maketh oath and saith, that he is a native of Ireland; that he arrived in the United States about twelve years ago; that he is a mariner, and has never become a citizen of the United States, nor in any way failed in the performance of his duty as a British subject; that he has a wife and two children, and has supported himself of late by running a small boat from Charleston to Mount Pleasant, carrying passengers.

Deponent saith, he applied at the provost marshal's office on this morning (3d of March) for a permit to employ himself and boat in oystering and fishing; that he was then directed to apply to Colonel Woodford for a license; that he proceeded to Colonel Woodford's headquarters, and showed to him his consular certificate of nationality, and made a request for a license. Colonel Woodford then asked deponent if he had been to the citadel to take the oath of allegiance. Deponent said he had not. Colonel Woodford then said that no licenses could be granted to those who did not take the oath of allegiance.

his
JOHN + FITZGERALD.
mark.

Sworn to before me this 3d March, 1865.

H. P. WALKER, *H. M. Acting Consul.*

Deposition of William F. Paddon.

BRITISH CONSULATE, *City of Charleston:*

William F. Paddon, of 7 Marion street, and 447 King street, Charleston, gas-fitter, maketh oath and saith as follows:

I have been engaged for two or three years past in salt-boiling, in connexion with which I have employed two vessels (wood-floats) in bringing to the city from landings up the river, cord-wood; that at the time of the occupation of the city by the forces of the United States, I had not less than twelve cords of pine wood stacked in Harrison's and Hamep's wood-yards on Gadsden's Green. On the 21st ultimo it was taken possession of by the United States troops and a guard put over it. On the 24th I was allowed by Major Willoughby, provost marshal, to whom I applied for the restoration of it, one load (one-quarter of a cord) for my own family use. On Saturday, the 4th of March, I again applied to him for my wood, and also for a pass for a servant to go up the river for one of my wood-boats detained there. Major Willoughby told me first to go to Captain Appleton, provost marshal general, and get a pass, as the boat was beyond the limits of the city. On applying to Captain Appleton, I was told to go to Colonel Woodford, the commandant of the city, for a license. On applying at Colonel Woodford's office, his adjutant, Captain Jenks, referred me to Lieutenant Haviland, the post treasurer. On applying to him he told me he could not give me any license unless I took the oath of allegiance. I made known that I was a British subject, and showed him the papers I had received from the British consulate. He told me his orders were to give no licenses for any business to any parties who did not take the oath of allegiance to the government of the United States. I then went to Captain Jenks, and he said such were the orders that had been received. He permitted me to see Colonel Woodford, and I asked him whether it was actually necessary to take the oath of allegiance. He said he understood my position exactly; he said, if Charleston was to be attacked would I take up arms? I said I would not. And he told me that he did not want any one to do business in Charleston that would not fight for it, and no one could do business that could not take the oath and fight for the place. On leaving he said he would be delighted to give us passes to leave the country. Mr. George Dowie and Mr. W. McComb, also British subjects, were in company with me during the interviews I had to-day with Lieutenant Haviland and Colonel Woodford.

W. F. PADDON.

Sworn to before me, this 6th March, 1865.

H. P. WALKER, *H. M. Acting Consul.*

Depositions of George Dowie and Wm. McComb.

BRITISH CONSULATE, *Port of Charleston:*

George Dowie, of Bee street, druggist, and William McComb, of No. 33 Vanderhorst street, dealer in dry goods, severally make oath and say that they were present this morning at the interviews had by W. F. Paddon with Lieutenant Haviland and Colonel Woodford, and that his statement of what transpired, detailed in the foregoing affidavit, is correct.

GEO. DOWIE.
W. McCOMB.

Sworn before me, this 6th March, 1865.

H. P. WALKER,
Her Majesty's Acting Consul.

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 21, 1865.

SIR: In reply to your note of the 16th of March, I have the honor to say, that it would be useful if it could be shown that the Mr. Adderly who moves the application to this government for a favor in behalf of John Warrington is not, as is inferred from his name, an enemy to this government.

I do not see what would be gained by suppressing the name of Mr. Adderly, for the request for the soldier's discharge would then be without such special foundation as to distinguish it from any similar request that might be made to discharge any other British subject from a voluntary enlistment. It seems hardly necessary to say that the discharge of any soldier weakens by just so much the national forces at the very moment when the greatest activity is required in the field. I will, however, make the inquiry upon the grounds upon which, in your memorandum of the 17th instant, you rest the case.

I wish I could accept the fact of Mr. Adderly's being a member of Parliament and a privy councillor as conclusive against the prejudice that his name excites. But I remember that the mayor of Liverpool is a blockade-runner, and so is the late mayor of Hull. Lord Brougham, Mr. Lindsey, Mr. Roebuck, Sir Henry Houghton, Lord Wharncliffe, Lord Clanricarde and Lord Campbell are members of Parliament. I do not know how many of these are privy councillors. I should hardly suppose that it would be expected of this government that an appeal by either of them to the United States for a favor upon personal grounds would be impulsively granted.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c.*, *&c.*, *&c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 21, 1865.

SIR: The state of Lord Lyons's health having obliged him to retire definitively from the post which he has held for the last six years as her Majesty's envoy extraordinary and minister plenipotentiary at Washington, the Queen has been graciously pleased to appoint Sir Frederick Bruce, now her Majesty's envoy extraordinary and minister plenipotentiary at Pekin, to be his lordship's successor in that character. I am accordingly instructed to notify this appointment to you, and to say that Sir Frederick Bruce will be instructed to repair to Washington so soon as he can make arrangements for doing so, and that her Majesty's government trust that the appointment will be in every respect acceptable to the President of the United States.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD.

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 21, 1865.

SIR: I have the honor to transmit to you copies of a despatch and of its enclosures which I have received from his excellency the governor general of Canada, relative to an order which is stated to have been issued from the Treasury Department in this city, respecting the mode of dealing with articles exported inland from Canada to the United States.

I feel sure that you will take this matter into your serious consideration, with a view to arrange on a friendly basis a reciprocal trade between the two countries

in question, to avoid all antagonistic feelings on the subject, and to smooth the way for the advantages which it is hoped may result from a remodelling of the reciprocity treaty.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

QUEBEC, *March* 13, 1865.

SIR: I have the honor to transmit copies of a letter addressed to me by the managing director of the Grand Trunk Railway Company, and an order which it is stated has been issued from the Treasury Department at Washington, respecting the mode of dealing with articles exported inland from Canada to the United States.

It is evident that the requisitions referred to in the order from the Treasury Department will, if enforced, very seriously interfere with the trade between the two countries.

I shall feel much obliged if you will bring this subject before the notice of the Secretary of State of the United States, with the view of ascertaining whether some such arrangement as that suggested by Mr. Bridges might not be found effectual for the protection of the revenue of the United States, without seriously impeding the course of trade.

I have, &c.,

MONCK.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Bridges to Viscount Monck.

GRAND TRUNK RAILWAY OF CANADA,
Managing Director's Office at Quebec, March 9, 1865.

MY LORD: Referring to the interview which I had with you upon the subject of the orders lately issued from the Treasury Department at Washington, I now beg to enclose copy of communication addressed to the collectors at the different ports of entry of the United States where the different railway lines cross the frontier from Canada into the States.

This order, if intended to be enforced strictly, will have the effect of entirely stopping the flow of trade between the two countries, and will in effect put an end to the reciprocity treaty before it expires under the notice which is to be given for its termination. I have certainly myself not heard of any such threats as are referred to in the first clause of Mr. Sargeant's letter, and I think it could hardly have occurred that any such threats could have been made without its having been brought to the notice of the railway authorities.

The act of Congress to which Mr. Sargeant refers enacts, first, that all vessels, cars, or other envelopes (as the act expresses it) shall be unloaded at the first port of entry after arrival in the United States, and if upon examination by customs authorities found to be correct, allowed to proceed to their destination.

The second clause of the act appears to be intended as an alternative to this arrangement, and enacts that upon goods being put into a car at the place of export, it may, upon being sealed by a consul and accompanied by his certificate in triplicate, pass the frontiers and proceed to its destination without being unloaded or disturbed.

The latter regulation, if attempted to be carried out, would in practice prevent almost completely the transport of goods or produce grown in Canada into the United States under the terms of the reciprocity treaty. The reason of this will be at once apparent when I state that freight of various kinds is shipped from about one hundred and fifty stations in Canada, and that there are only twelve consuls appointed by the United States government; such consuls, of course, being located in the principal cities and prominent points and the different stations upon the lines of railway being scattered through the country, and many of them at considerable distances from the residence of the consuls. This applies with considerable force to the district of country lying east of Montreal. There is a consul now at Quebec, and one lately appointed at Coaticoak, near the boundary, but between Montreal and Rivière du Loup. There are some forty stations, from all of which at the present time grain purchased by American buyers is being sent to Portland, and much of it going to Fortress Monroe and other places for the use of the American army.

If the United States government insist upon every car-load of this grain being inspected before it is allowed to leave a station by the consul, and sealed by him, and his certificate

given that it is the growth and produce of Canada, it is quite clear that the existing consular machinery is entirely inadequate to enable such regulations to be carried into effect, and of course, therefore, the only result must be that the traffic will be entirely stopped.

I have pointed out the mode in which this matter will operate, in order that your lordship, if you think it desirable, may communicate with the embassy at Washington, for the purpose of having the matter brought to the attention of the Secretary of State of the United States.

I need not say that although this matter is one of importance to the railway interests of the country, it is equally so to the producing classes, who, on the faith of the terms of the reciprocity treaty, have entered largely into the growth of articles which under that treaty can be forwarded to the United States. It is also, of course, important to the interests of Americans themselves, who I suppose, from the impossibility of getting the supplies they want in their own country, come to Canada for the purpose of securing that which they find necessary to get for their own internal consumption.

If I might make a suggestion, I think the authorities of the United States would, upon examination, find that the plan which has been in general adoption for some time back would meet the necessity of the case, as far as customs requirements are concerned, and would not at the same time interfere with the flow of trade. The plan I propose would be that consuls should be appointed at the frontier ports where the lines of railway pass from Canada into the United States; that they should be authorized to seal cars upon arrival there, (the cars, of course, having been locked during their journey to the frontier port,) and the contents of the car being vouched for by affidavit, made before a justice of the peace, of whom, of course, there are plenty in the neighborhood of each one of the railway stations in the country.

An affidavit of this kind, sworn to before a justice of the peace, would be evidence to the consul at the frontier that the produce of the car was the growth of Canada, and entitled to pass into the United States under the terms of the reciprocity treaty.

I don't, of course, make these remarks with any other intention than as a mere suggestion, which the authorities of the United States would, I think, find ample security against all possibility of difficulty. And if your lordship thinks the suggestion is one which would be likely to be acceptable, it could, I am quite satisfied, be carried out without any difficulty whatsoever.

If your lordship will be good enough to make a representation to Washington on the subject, we shall at any rate be enabled to understand precisely the position in which matters of trade are hereafter to stand, and whilst begging it to be understood that I do not make this communication in any spirit of complaint, at the same time desire to know exactly the footing upon which matters of trade regulations are to stand for the future. It is of course unnecessary to remind your lordship that smuggling, if it takes place at all from Canada into the United States, would not take the great lines of travel, such as railways, but would seek a less conspicuous mode of entrance into the United States. The history of smuggling, I believe, shows that it is carried on in the most secret way possible, and certainly not attempted to be carried on at points where there are a large staff of custom-house officers ready to see that nothing contraband passes there.

I have, &c.,

C BRIDGES, *Managing Director.*

His Excellency VISCOUNT MONCK.

[Enclosure.]

TREASURY DEPARTMENT,
Office of Commissioner of Customs, February 15, 1865.

SIR: I understand that the State Department has received information from several of our consuls in Canada that violent opposition is made by Canadians against the carrying into execution the 2d and 3d sections of the smuggling acts, and that threats even have been made, with a view to prevent the act being carried out by our consuls.

These sections of the act alluded to were intended to relieve owners of goods, wares, and merchandise, vessels, cars, &c., from the burden of having such vessels, cars, &c., unloaded and examined at the first stopping-place after entering the United States, and I have now to instruct you to carry the 1st section of the smuggling act into full and vigorous effect in all cases.

If the people of Canada choose to quarrel with the remedial portion of the act, they may try the other portion awhile.

You will hereafter enforce the law strictly.

N. SARGENT, *Commissioner.*

P. S.—It will be advisable, probably, to give the railroad companies reasonable notice of this order before enforcing it.

N. S.

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 23, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 21st instant, informing me that you were willing to make inquiries about Warrington, as suggested in my memorandum of the 17th instant.

I think it perhaps right to mention here what may have escaped you, that the spelling of the two names is different. The member of the Nassau firms spells his name Adderly, without an *e* at the end, whilst the gentleman alluded to in my note spells his name Adderley, with an *e*. This may have given rise to the mistake, and induced you to believe that they were one and the same person.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 23, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 7th instant, acquainting me, at the instance of the governor general of Canada, with the sale of the vessels Almandares and Pinero, the former to Spanish subjects at Havana, and the latter to a gentleman in Montreal, and to request that you will be so good as to cause my thanks to be conveyed to the governor general for the information.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 23, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 20th instant, inviting my attention to the inconvenience occasioned to British subjects domiciled at Charleston, South Carolina, by the conduct of Colonel Woodford, in requiring all persons who wish to remain in that city to comply with certain regulations, and to inform you that, as Charleston has been reclaimed by the military forces of the government, it is desirable to hold it by a force as small as possible, so as not to weaken the armies in the field. The government does not think it unreasonable to insist that neutrals as well as enemies should retire from it, and leave there only those who, if required, will fight to defend their homes.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 23, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 18th instant, which is accompanied by a copy of a letter of the 28th ultimo, and an extract of an anterior statement addressed to you by Captain Scanlon, which you desire to be considered in connexion with his case already submitted to the Treasury Department for investigation. In reply I have the honor to state that a copy of that note and of its accompaniments has been placed before the Secretary of the Treasury for such disposition as you have indicated.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 24, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 21st instant, informing me that Lord Lyons's health having obliged him to retire definitively from the post which he has held for the last six years as her Majesty's envoy extraordinary and minister plenipotentiary at Washington, the Queen has been graciously pleased to appoint Sir Frederick Bruce, now her Majesty's envoy extraordinary and minister plenipotentiary at Pekin, to be his lordship's successor in that character; that you are instructed to notify this appointment to me, and to say that Sir Frederick Bruce will be instructed to repair to Washington so soon as he can make arrangements for so doing, and that her Majesty's government trust that the appointment will be in every way acceptable to the President of the United States.

In reply, I have the honor to state that before your note was received Mr. Adams had already informed us of the appointment, and that he had been instructed to express to Earl Russell the regret of this government for the retirement of Lord Lyons, and our satisfaction with the appointment of Sir Frederick Bruce.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 26, 1865.

SIR: With reference to your note of the 11th ultimo, on the subject of the fishery commission, organized under the first article of the treaty of the 5th of

June, 1854, I am informed by her Majesty's principal secretary of state for foreign affairs that his lordship has instructed Mr. Home to report how soon it will be possible for him and his United States colleague to close this commission as established by the treaty.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *March* 27, 1865.

SIR: I communicated to Earl Russell a copy of your note of the 8th ultimo, relative to a reported organization at Cape Vincent, with a view to a marauding expedition upon Canadian territory, and I am now instructed by his lordship to convey to you the thanks of her Majesty's government for the information contained in that note.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 28, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 21st instant, requesting me to take into serious consideration the effects produced by a recent order alleged to have been issued from the Treasury Department relative to the conduct of trade between the United States and Canada, and to inform you that it will occupy my attention.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 29, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 26th instant, informing me that Mr. Home had been instructed to report to her Majesty's government how soon it would be possible for him and his colleague from the government to close the fishery commission as established by the treaty.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, March 29, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 27th instant, announcing to me that you had communicated to Earl Russell a copy of my note of the 8th ultimo, relative to the reported organization at Cape Vincent for the purpose of marauding upon Canadian territory.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *April* 1, 1865.

SIR: With reference to your note of the 14th of January, and to my reply of the 17th of January, relative to the movements of the Sea King, or Shenandoah, and also to your note of the 14th of February, relative to the movements of the Ajax, a copy of which latter note I communicated to the lieutenant governor of Bermuda, I have the honor to transmit to you a copy of a despatch which I have received from his excellency.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

F. O. ADAMS,
For Mr. BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Hawley to Mr. Burnley.

BERMUDA, *March* 14, 1865.

SIR: I have the honor to acknowledge the receipt of despatches from you dated the 17th of January, 1865, and the 16th of February, 1865, both with enclosures from the State Department at Washington, and both warning me of suspected intentions on the part of the Confederate States to use British ports for belligerent purposes.

In reply, I can only state that every vigilance will be used to prevent or punish a breach of the law should it be attempted or take place. Without convincing evidence it is of course impossible to set the law in action, and the government of the United States must be aware that the information furnished me, through you, even if it could be substantiated here, is not of such a character as would justify legal interference.

I have, &c

W. G. HAWLEY.

J. H. BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *April* 3, 1865.

SIR: I have the honor to call your attention to the enclosed copy of a despatch which I have received from her Majesty's consul at New York, relative to the imprisonment of Ernest W. Pratt and Robert Green, who appear to be British subjects.

The facts of the case are so fully stated in this despatch, that I have little to add to its contents.

I wish, however, to draw your attention at the present moment to two points. In the first place, although these men own that they served on board of a ship which did indeed convey arms and ammunition to a vessel under Danish colors, which appears to have been fitted out for hostile acts against the United States, they declare that they shipped for an ordinary voyage to the West Indies; that they were ignorant of the intention to employ the City of Richmond in the manner above mentioned; and that when, on passing the island of Ushant, they first became aware of the change of destination of the vessel, they could not, without being guilty of mutiny, resist the orders of the captain.

In the second place, with regard to the alleged conduct of the United States consul at Nassau, the men declare that this gentleman, instead of granting passports to them, indorsed on the back of their discharges from the City of Richmond, certificates which he assured them would serve as passports, and would entitle them to return to England through the United States, and that it was upon the faith of the assurance of this United States official that they were induced to come to New York on their way to England.

I have the honor to request that you will have the goodness to inform me of the precise grounds upon which Pratt and Green are detained as prisoners, and of the nature of the evidence against them.

At the same time I beg that, if there is no reasonable ground for detaining them, they may now be discharged, on condition of their pursuing their voyage to England without delay.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Archibald to Mr. Burnley.

BRITISH CONSULATE,
New York, March 27, 1865.

SIR: I have the honor to report to you that Ernest W. Pratt and Robert Green, two British subjects, who arrived at this port from Nassau by the Corsica, were arrested on board that vessel on the morning of the 18th instant, by the revenue officers, for not having sufficient passports, and were brought to General Dix's headquarters, and from thence sent to the county jail, where they are now detained.

On Monday, the 20th, I received a communication from Mr. Pratt, requesting an interview; and after communicating with the United States marshal, and subsequently with General Dix, who applied by telegraph to Washington for instructions, I was finally permitted to have an interview with the prisoners this morning at General Dix's headquarters, in the presence of Major Ludlow, in compliance with instructions from the Secretary of State, that any such interview should take place in the presence of an officer of the United States.

General Dix had communicated to me on Wednesday last that the examination of the prisoners presented an aggravated case of violation of neutrality; and Major Ludlow this morning showed me a copy of his report on the case, from which, and from questions put by me to the prisoners, I elicited the following facts:

Ernest W. Pratt, a native of London, aged 25 years, and Robert Green, a native of Northampton, aged 29 years, both British subjects, were, the former chief officer and the latter chief steward of the steamship City of Richmond, of London, which vessel cleared from London on the 3d of January last, with provisions and coals, dropped down the river to Greenhithe, and there took on board between sixty and seventy passengers, and a number of cases believed to have contained small-arms, together with about 150 barrels of gunpowder. The steamer then proceeded to a place about five miles distant from Belle Isle, where she fell in with the ram Olinde, then under Danish colors; the passengers taken on board at Greenhithe, who are said to have been officers and seamen, were transferred to the Olinde, with the cases and ammunition taken on board at Greenhithe.

The City of Richmond then proceeded to Bermuda, remained a week there for some refitting, and went to Nassau, where the officers and crew were discharged and paid off—the vessel being placed, as it is asserted, under the command of a fresh master appointed to her by one Cranshaw, a citizen of the United States, belonging to one of the insurrectionary States, who, it is said, was the real owner of the City of Richmond all the while, although she was nominally registered as a British vessel.

The officers and crew of the City of Richmond were regularly shipped in London for a voyage to Bermuda and West Indies, or any port of British North America—the voyage not to exceed four months. On being discharged at Nassau they insisted on, and after some difficulty and dispute with the agents of the owners succeeded in obtaining, payment for the stipulated time of four months. Regular written discharges were issued to them, and Pratt, the chief officer, and Green, the steward, having determined to return to England by way of New York, went to the United States consul at Nassau to obtain passports. The consul, instead of granting passports, indorsed on the back of their discharges from the City of Richmond a certificate which he assured them would serve for a passport. and would entitle them to pass through the United States to England. They relied on this assurance and came on to New York.

The case of these prisoners is peculiar. That they served on board a vessel which conveyed arms and ammunition, as well as men, to a vessel which is reported to have been fitted out and intended to be used hostilely towards the United States, is admitted by themselves. All that is known of their connexion with the transaction has been gathered from their examination, unless, indeed, the United States consul at Nassau may have communicated to his government information on the subject.

The answer which both Pratt and Green make to the charge of a breach of neutrality is, that they shipped for an ordinary voyage to the West Indies; that they were ignorant of the intention to employ the City of Richmond in any illegal voyage; that they believed they were to bring to Bermuda and Nassau the passengers and effects shipped at Greenhithe, and that it was not until after the City of Richmond had passed the island of Ushant that they were aware of the change of destination; and that it was not in their power to resist or prevent the commander from navigating the ship in whatever direction he thought fit, and transshipping the men and munitions of war on board the Olinde.

They complain also, and with some reason, that a passport, or what was intended to serve as a passport, should have been granted to them by the United States consul at Nassau, apparently only to serve as the means of entrapping them on their arrival here, and allege that had they felt they were liable for the acts of others over whom they had no control, they would never have presumed to return to England by way of the United States. In Major Ludlow's report it is stated (as reported to him) that Pratt and Green secreted themselves on the Corsica's arrival here. They both most positively deny the truth of this statement. Pratt states that he was arrested at 6 o'clock in the morning, while he was in his berth in the captain's cabin, where he had slept all the way from Nassau; and Green denies that he was in any manner secreted, or that he intended to secrete himself.

I have the honor to submit the foregoing statement of circumstances for your consideration, and for such action thereon as you may think proper. Her Majesty's government, I am well assured, would in no manner afford its protection to parties who had committed a wilful breach of neutrality. In this case, however, the evidence, so far as I am aware, consists of the statements of the prisoners themselves, who assert that, so far as they are considered to be implicated, they were involuntary agents; that they were engaged for and sailed on a lawful voyage, and were unable, without being guilty of mutiny, to resist the orders of the commander of the ship.

I have, &c.,

E. M. ARCHIBALD.

J. H. BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *April* 3, 1865.

MY DEAR SIR: Viscount Monck informs me by telegraph that the Canadian courts had decided that the St. Albans raiders could not be surrendered, and they were consequently discharged.

It appears, however, that the governor general directed their immediate rearrest on a charge of violating the Queen's neutrality.

Believe me to remain, my dear sir, yours, very faithfully,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *April* 3, 1865.

SIR: I communicated to the governor general of Canada copies of your note of the 20th ultimo, and of its enclosure, relative to the information conveyed by

Mr. ———, with respect to raids which are alleged to be projected from Canada into the United States, and I have now the honor to transmit a copy of his excellency's reply, stating that that information had been already communicated to the Canadian government.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

QUEBEC, *March* 28, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of the 22d instant, and its enclosures, containing information given by Mr. ———, of ———, Canada West, relative to alleged projected raids from Canada into the United States.

In reply, I have the honor to state that the information contained in Mr. ———'s letters had already been communicated to the Canadian government, and that a special agent had been sent to Ampréor to investigate the truth of his statements.

I have not yet received his report, but I shall not fail to communicate it to you should any grounds appear to exist for attaching credit to Mr. ———'s allegations.

I have, &c.,

MONCK.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *April 5*, 1865.

SIR: Since I had the honor of addressing you on the 27th of February, respecting that portion of the cotton captured at Savannah which is said to be the property of British subjects, her Majesty's government have had under their consideration the further correspondence which has been forwarded to them from time to time, and now instruct me to express to you their confident hope that no obstacle will be interposed to prevent her Majesty's subjects from establishing their just claims to their own property.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, April 5, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 3d instant, and of its accompaniment, relative to the information received from Mr. ——— respecting the raids intended to be made from Canada into the United States. I will thank you to convey to the governor general of Canada an expression of my appreciation of his proceedings.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Seward.

WASHINGTON, *April* 7, 1865.

SIR: With reference to the note which you did me the honor to address to me on the 14th of March, relative to the position of the United States consul at Halifax, in which you advert to the alleged support given to the so-called confederate cruisers by the inhabitants of Nova Scotia, I have the honor to enclose a copy of a despatch which I have received from the lieutenant governor of Nova Scotia, bearing on the subject.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Lieutenant Governor Macdonald to Mr. Burnley.

GOVERNMENT HOUSE, HALIFAX, NOVA SCOTIA,
March 29, 1865.

SIR: I have the honor to acknowledge receipt of yours of the 16th March, covering a communication from Mr. Seward, of the 14th instant, addressed to you on the position of the United States consul at Halifax.

Whatever be the usage of the United States government, I was not aware that any practice existing here, or in any other colony, precluded consuls of foreign powers from communicating through the provincial secretary with her Majesty's representative. On the contrary, it has always been supposed that a principal object in stationing consuls in foreign possessions was to facilitate and insure speedy and correct means of communication, in the absence of any higher diplomatic officer, between the local authorities and consular representatives of foreign powers in matters wherein the latter might be *locally* interested.

I am gratified to learn that Mr. Seward recognizes the just neutrality which I have hitherto maintained, but regret his observations on the conduct of the people of this province and the citizens of Halifax. I cannot suppose Mr. Seward seriously to suggest that this government can prevent its post offices being used for the transmission of letters from Richmond or any other place, any more than I can suppose that he expects the executive here to interfere with the rights of neutral citizens to clear from the port of Halifax with such cargoes as they may think most profitable. Their right to do so was affirmed by the greatest legal authorities in the United States, and does not override the right of United States cruisers to seize them if attempting to break a legitimate blockade.

5. If on reconsideration by the great powers of such conflicting rights any alteration in existing international usages be agreed to, and I be instructed accordingly, Mr. Seward may rely on my giving a hearty and complete effect thereto. In the mean time I can assure Mr. Seward that Halifax is not a rendezvous for "piratical cruisers" engaged in destroying the commerce of the United States on the high seas, and no officer of the Queen has any sympathy with pirates, or could retain his office a day if he countenanced them. Mr. Seward cannot but know that this government must deal with belligerent cruisers of the southern States as they are dealt with by his own government—that is, as being completely protected from treatment as pirates by the commissions of their commanders, in the same way as southern generals and officers are, for the same reason, treated by Mr. Seward's government—not as banditti, but as regular combatants.

6. It is very unfortunate, therefore, that prejudices arising from imperfect information should encourage the adoption of measures by the United States government unfavorable to the trade and intercourse of Nova Scotia with a kindred race whose enterprise and commercial spirit, no less than their geographical position, constitute them our most natural friends and most valuable neighbors. I regret it the more, as no action of this government can possibly change the unquestioned neutral right which international usage has established.

7 It is clear, however, that Mr. Seward is not well informed as to the general feeling here; and it is wholly inconsistent with fact that, except for a trade, legitimate according to the practice of United States citizens and the decisions of their courts, this port is resorted to by any sympathizers with the Confederate States, or that the latter procure here either arms or other munitions of war.

8. If I had been clothed twice over with all the extraordinary powers recently given to the governor general, which Mr. Seward so highly approves, I am not aware of a single case, since my arrival here last June, in which it would have been my duty to exert them.

9. My only reason for adverting to these subjects is, that Mr. Seward apparently assumes

in his communication to you that this government is aware of much hostility to the United States existing here, and of direct aid frequently given to enemies of the United States by Nova Scotians. I am, therefore, unwilling to appear by my silence to admit the correctness of such views. On the contrary, I feel assured that Mr. Seward will rejoice at finding reasonable grounds for modifying opinions prejudicial to the common interests both of the United States and this province.

I have, &c.,

R. G. MACDONELL.

J. HUME BURNLEY, Esq.

Mr. F. W. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, April 7, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 3d instant, in regard to the detention at New York of Ernest W. Pratt, late the first officer, and Robert Green, the chief steward of the steamship City of Richmond, which cleared from the port of London on the 3d of January last, and near Belle Isle transferred to the insurgent iron-clad vessel Stonewall, alias Olinde, alias Stoerkodder, between sixty and seventy men, a number of cases said to have contained small-arms, and one hundred and fifty barrels of gunpowder. In reply, I have the honor to inform you that the matter has been referred to the Secretary of War for investigation and report, and I have written to the consul of the United States at Nassau, whose despatches heretofore received furnish no information in regard to the indorsements said to have been made by him in the discharge papers of Pratt and Green.

When replies shall have been received to these letters, the claims of the men to be released from custody will be taken into consideration.

I have the honor to be, with high regard, sir, your obedient servant,

WILLIAM H. SEWARD.
By F. W. SEWARD,
Assistant Secretary.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. F. W. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, April 8, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 1st instant, which is accompanied by a copy of a despatch addressed to you by his excellency the lieutenant governor of Bermuda, in response to the warnings of designs of the insurgents contemplating violations of the neutrality of British ports, contained in my communications to you of the 14th of January and 14th of February last, in regard, respectively, to the movements of the Ajax and the Shenandoah, or Sea King.

I have the honor to be, with high consideration, sir, your obedient servant.

WILLIAM H. SEWARD,
By F. W. SEWARD,
Assistant Secretary.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. F. W. Seward to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, April 8, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 5th instant, in which, in conformity with instructions you have received from her Majesty's government, you express a hope that no obstacle will be interposed to prevent British subjects from establishing their just claim to that portion of the cotton captured at Savannah alleged to be their property. In reply, I have the honor to state that, so far from desiring any interposition of the character referred to, the United States government has sought to give to all such claims as full a hearing and as just a consideration as, under similar circumstances, they would expect to be accorded to like claims of its own citizens.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD,
By F. W. SEWARD,
Assistant Secretary.

J. HUME BURNLEY, Esq., *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

[Extract.]

WASHINGTON, *April* 10, 1865.

SIR: I have the honor to announce to you my arrival at Washington, charged with a letter from her Britannic Majesty, accrediting me to the President of the United States as her Majesty's envoy extraordinary and minister plenipotentiary.

* * * * * *

And I shall feel much obliged if you will take the orders of the President with reference to granting me an audience, at which I may have the honor of delivering to him the royal letter in original.

I trust, sir, that your late accident, which I sincerely regret, may not deprive me for any lengthened period of the satisfaction of entering into personal communication with yourself.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Hunter to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, April 15, 1865.

SIR: It is my great misfortune to be obliged to inform you of events not less afflicting to the people of the United States than distressing to my own feelings and the feelings of all those connected with the government. The President of the United States was shot with a pistol last night, while attending a theatre in this city, and expired this morning from the effect of the wound.

At about the same time, an attempt was made to assassinate the Secretary of State, which, though it fortunately failed, left him severely, but it is hoped not dangerously wounded, with a knife or dagger.

Mr. F. W. Seward was also struck on the head with a heavy weapon, and is in a critical condition from the effect of the blows.

Pursuant to the provision of the Constitution of the United States, Andrew Johnson, the Vice-President, has formally assumed the functions of President. I have by him been authorized to perform the duties of Secretary of State, until otherwise ordered.

I avail myself of the occasion to offer to you the assurance of my very distinguished consideration.

W. HUNTER, *Acting Secretary.*

J. HUME BURNLEY, Esq., &c., &c., &c.

[Same, *mutatis mutandis*, to all foreign ministers in the United States.]

Mr. Burnley to Mr. Hunter.

WASHINGTON, *April* 17, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 15th instant, announcing to me the lamented death of the President of the United States on the night of the 14th instant, from the effects of a pistol-shot received at the hands of an assassin, whilst attending the performances at the theatre, and the dastardly attempt to assassinate in like manner the Secretary of State, and his son Mr. F. Seward.

It is with feelings of the deepest regret that I have heard of these crimes, a regret which will be shared by my government on reception of the sad news. I sincerely trust that Mr. Seward and his son may recover from the wounds inflicted on them and be restored to health.

I take this opportunity of acknowledging the announcement of the formal assumption of the functions of President by the late Vice-President, Andrew Johnson, and of your appointment to perform temporarily the duties of Secretary of State.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. W. HUNTER, &c., &c., &c.

Mr. Hunter to Mr. Burnley.

DEPARTMENT OF STATE,
Washington, April 18, 1865.

SIR: I have the honor to enclose a programme of arrangements for the obsequies of the late President. The religious services will take place at the Executive Mansion at twelve o'clock m. to-morrow. Your attendance at about half-past eleven is invited.

I have the honor to be, with the highest consideration, your obedient servant,

W. HUNTER,
Acting Secretary.

J. HUME BURNLEY, Esq., &c., &c., &c.

[Same, *mutatis mutandis*, to all foreign ministers in the United States.]

ORDER OF THE PROCESSION.

Funeral escort in column of march.
One regiment of cavalry.
Two batteries of artillery.
Battalion of marines.
Two regiments of infantry.
Commander of escort and staff.
Dismounted officers of marine corps.
Navy and army in the order named.
Mounted officers of marine corps.
Navy and army in the order named.
All military officers to be in uniform, with side-arms.

CIVIC PROCESSION.

Marshal.
Clergy in attendance.
The Surgeon General of the United States and physicians to the deceased.

Pall-bearers. | Hearse. | Pall-bearers.

On the part of the Senate.

Mr. Foster, Connecticut.
Mr. Morgan, New York.
Mr. Johnson, Maryland.
Mr. Yates, Illinois.
Mr. Wade, Ohio.
Mr. Conness, California.

Army.

Lieutenant General U. S. Grant.
Major General H. W. Halleck.
Brevet Brigadier General W. A. Nichols.

Civilians.

O. H. Browning.
George Ashmun.

On the part of the House.

Mr. Dawes, Massachusetts.
Mr. Coffroth, Pennsylvania.
Mr. Smith, Kentucky.
Mr. Colfax, Indiana.
Mr. Worthington, Nevada.
Mr. Washburne, Illinois.

Navy.

Vice-Admiral D. G. Farragut.
Rear-Admiral W. B. Shubrick.
Colonel Jacob Zeilin, M. C.

Civilians.

Thomas Corwin.
Simon Cameron.

The family.
Relatives.
The delegations of the States of Illinois and Kentucky as mourners.
The President.
The cabinet ministers.
The diplomatic corps.
Ex-Presidents.
The Chief Justice and associate justices of Supreme Court.
The Senate of the United States, preceded by its officers.
The House of Representatives of the United States, preceded by its officers.
Legislatures of the several States and Territories.
The federal judiciary and the judiciary of the several States and Territories.
The Assistant Secretaries of State, Treasury, War, Navy, and Interior, and the Assistant Postmasters General and Assistant Attorney General.
Officers of Smithsonian Institution.
The members and officers of the Sanitary and Christian Commissions.
Corporate authorities of Washington and Georgetown and other cities.
Delegations of the several States.
The reverend clergy of the various denominations.
The clerks and employés of the several departments and bureaus, preceded by the heads of such bureaus and their respective chief clerks.
Such societies as may wish to join the procession.
Citizens and strangers.

The troops designated to form the escort will assemble in the avenue, north of the President's house, and form line precisely at 11 o'clock a. m., on Wednesday, the 19th instant, with the left resting on Fifteenth street. The procession will move precisely at 2 o'clock p. m., on the conclusion of the religious services at the Executive Mansion, (appointed to commence at 12 o'clock meridian,) when minute-guns will be fired by detachments of artillery stationed near St. John's church, the City Hall, and at the Capitol. At the same hour the bells of the several churches in Washington, Georgetown, and Alexandria will be tolled.

At sunrise on Wednesday, the 19th instant, a federal salute will be fired from the military stations in the vicinity of Washington, minute-guns between the hours of twelve and three o'clock, and a national salute at the setting of the sun.

The usual badge of mourning will be worn on the left arm and on the hilt of the sword.

Mr. Burnley to Mr. Hunter.

WASHINGTON, *April* 18, 1865.

SIR: With reference to Mr. Seward's note of the 6th ultimo, asking for the extradition of Vernon G. Locke, I have the honor to enclose copy of a despatch which I have received from his excellency the governor of the Bahamas in reply to my despatch communicating to him copy of the above-mentioned note.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Governor Rawson to Mr. Burnley.

GOVERNMENT HOUSE,
Nassau, April 3, 1865.

SIR: I have the honor to acknowledge your despatch of the 9th ultimo, transmitting a copy of a note from the Secretary of State for the United States, requesting the extradition of Vernon (or Verdon) G. Locke, charged with the commission of the crimes of piracy and murder on board the United States merchant steamer Chesapeake, and a fugitive from the justice of the United States.

This man is now under arrest at Nassau, and will be brought to trial at the ensuing sitting of the general court, for the fraudulent sale of the captured United States schooner Hanover, being an offence committed in her Majesty's dominions against British law.

Under such circumstances, it appears to me that I should not be justified in delivering him over to the authorities of the United States, to be tried by them for another offence, until he shall either have been acquitted of the first offence, or, if condemned on the trial for it, shall have undergone and completed his sentence.

As, however, his trial will take place so soon, the question of his acquittal or condemnation will not long be at issue. If he should be acquitted, I shall be prepared to act upon a requisition presented to me conformably with the provisions of the 10th article of the treaty of Washington, to which Mr. Seward refers. If he should be condemned, he will remain in confinement here, and I will refer the question of extradition to the secretary of state for the instructions of her Majesty's government.

I request, however, that you will lose no time in pointing out to Mr. Seward that his note does not contain, and that this government does not possess, any evidence or information upon which I can legally comply with his present requisition. The 10th article of the treaty of Washington stipulates that extradition is to be made "upon such evidence of criminality as, according to the laws of the place where the fugitive or person so charged shall be found, would justify his apprehension and commitment for trial, if the crime or offence had there been committed;" that the primary arrest must be made "upon complaint made under oath;" that the person charged is to be brought before a competent court, "to the end that the evidence of criminality may be heard and considered," and that I have only the power of surrendering the fugitive if, on such hearing, "the evidence be deemed sufficient to sustain the charge," in the judgment "of the examining judge or magistrate."

It will be necessary, therefore, for the government of the United States to supply such evidence of the nature and circumstances of the alleged crimes, of the identity of Locke, and of his participaiton in the commission of the said crimes, as will satisfy the usual requirements of the colonial laws.

I would also direct the attention of Mr. Secretary Seward to the provisions of the imperial act 6 and 7 Vic., C. 76, passed for the purpose of giving effect to the treaty of Washington, and among them to the necessity of proving that the crime was committed within the jurisdiction of the United States—a fact which I am advised should appear upon the face of the requisition.

I have, &c.,

RAWSON W. RAWSON,
Governor.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Hunter.

WASHINGTON, *April* 18, 1865.

SIR: I communicated to Governor Rawson copies of Mr. Seward's note of the 3d of March, and of its enclosure, relative to the movements of a schooner called the Gypsy, and I have now the honor to enclose a copy of his excellency's reply.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. W. HUNTER, &c., &c., &c.

Governor Rawson to Mr. Burnley.

GOVERNMENT HOUSE, NASSAU, *April* 3, 1865.

SIR: In reply to your despatch of the 8th instant, enclosing a letter from Mr. Secretary Seward upon the movements of the schooner Gypsy, I have satisfaction in reporting that the apprehensions entertained by the United States consul at Havana appear to have been groundless, and the information which excited them incorrect.

The Gypsy arrived in this port on the 2d of March with seven passengers, and cleared out in ballast for Havana on the 14th of the same month, under the command of the same master. Of the seven passengers, one was a medical officer in her Majesty's service, and another a tradesman of this place.

I have, &c.,

RAWSON W. RAWSON,
Governor.

J. HUME BURNLEY, Esq., &c., &c., &c.

Mr. Burnley to Mr. Hunter.

WASHINGTON, *April* 18, 1865.

SIR: I have the honor to lay before you copies of correspondence which have been communicated to me by his excellency the governor of the Bahamas, respecting the movements of United States ships-of-war, in contravention of her Majesty's proclamation in the roadstead off Matthew town, Inagua, one of the out islands of the Bahama group.

Governor Rawson informs me that he has requested the United States consul to represent the irregularities committed by the officers of these ships to the United States admiral at Key West, enclosing at the same time the answer of this official, of which I enclose the copy.

As the United States government appears to have given instructions to their officers cruising in those seas to pay respect to her Majesty's desire that belligerent vessels-of-war should refrain from visiting the islands of that colony,

I feel convinced that they will see the necessity of taking proper measures to see that their orders are executed.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY,

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Mr. Kirkpatrick to Mr. Nesbitt.

UNITED STATES CONSULATE,
Nassau, March 22, 1865.

SIR: I have the honor to acknowledge the receipt of your favor of yesterday's date, enclosing me a copy of a letter from W. H. Pinder, esquire, acting resident justice at Matthew town Inagua, in regard to infractions said to have been committed of her Majesty the Queen's proclamation, and desiring me to forward a copy of Acting Justice Pinder's letter to the admiral on this station.

Present my compliments to his excellency the governor and say that I shall immediately lay before Admiral Stribling your letter, and the copy alluded to. And I have no doubt he will cause steps to be taken to ascertain why these irritating irregularities were committed by these officers, and see that future ones are prevented. I shall also lay a copy of yours and Justice Pinder's letters before the government at Washington, that steps may be taken there also to prevent similar occurrences.

I have, &c.,

THOMAS KIRKPATRICK.

Hon. C. R. NESBITT, Esq., *&c., &c., &c.*

Mr. Pinder to Mr. Nesbitt.

MATTHEW TOWN, MAGUA, *March* 11, 1865.

SIR: I have the honor to report to you, for the information of his excellency the governor, the arrival of the under-mentioned United States gunboats in the roadstead off this town, they having had frequent communication with the shore, but none whatever with the local authorities, viz: the Gallatea, Commander Nickelson, arrived on the 1st instant at 2 p. m., and left on the same day at 6 p. m., and arrived again on the 7th instant at 8 a. m., leaving at or about 6 p. m., without coming to an anchor, steaming, however, up and down over the anchorage places, within one-quarter of a mile of the shore.

The Neptune, Commander Sanford, anchored off the town on the evening of the 8th instant, and remained at anchor until the morning of the 11th, when she left.

I have, &c.,

H. H. PINDER,
Acting Resident Justice.

Hon. J. R. NESBITT, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Hunter.

WASHINGTON, *April* 18, 1865.

SIR: I communicated to Governor Rawson a copy of Mr. Seward's note of the 8th ultimo, relative to five vessels supposed to have been fitted out at the Bahamas for purposes hostile to the United States, and I have now the honor to transmit a copy of his excellency's answer.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. W. HUNTER, *&c., &., &c.*

Governor Rawson to Mr. Burnley.

GOVERNMENT HOUSE,
Nassau, April 3, 1865.

SIR: In reply to your despatch of the 10th instant, enclosing a letter from Mr. Secretary Seward, relative to the movements of five blockade-running steamers which are stated to have recently cleared from Nassau, and which are suspected of being engaged in illegal and hostile operations against the commerce of the United States, I have much satisfaction in reporting that there is no reason for believing that there is any truth in the information which he has received.

From the date of Mr. Seward's letter, 8th March, I presume that he must refer to steamers which left this port in the month of February. If so, I find that all the blockade-running steamers which cleared from Nassau to St. John's, New Brunswick, in that month, have returned hither, and were in port when his letter was written, except two which were captured in Charleston harbor, one which returned to this port, after having attempted unsuccessfully to run the blockade, and one which is now at Havana.

If Mr. Seward refers to vessels which cleared for St. John's, New Brunswick, in January, I find that every one of them have returned to this port with cargoes of cotton, proving that they were not employed in the manner suspected by Mr. Seward's informant.

I am very glad of this. The anxiety expressed by the United States government regarding the equipment of vessels within this colony, and the rumors afloat on the subject, have made me very desirous of ascertaining whether there were any real grounds for either. After careful inquiry and a strict watch, I am led to believe that up to the present time nothing of the kind has been done or attempted in this harbor since the beginning of the year.

With regard to the Ajax, which was the subject of your despatch of the 16th February, she was under observation during her stay here, until her departure on the 29th ultimo, when she left for Bermuda in ballast, with a moderate number of seamen and firemen. Nothing took place during her stay here to excite suspicion with regard to her, and I have reason to believe, on very good information, that she was neither intended nor adapted for a war vessel, but for a tug only, for which employment she was fitted up.

I have, &c.,

R. W. RAWSON, *Governor.*

J. H. BURNLEY, Esq., *&c., &c., &c.*

Mr. Burnley to Mr. Hunter.

WASHINGTON, *April* 18, 1865.

SIR: With reference to my note to Mr. Seward, of the 3d instant, I have the honor to transmit copies of a despatch, and of its enclosure, which I have received from the governor general of Canada, from which it would appear that there is no foundation for Mr. ———'s statements.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

J. HUME BURNLEY.

Hon. W. HUNTER, *&c., &c., &c.*

Viscount Monck to Mr. Burnley.

GOVERNMENT HOUSE,
Quebec, April 11, 1865.

SIR: In my despatch of the 28th March I informed you that I had taken measures for investigating the truth of the statements made by ——— respecting the organization at Amprior, in Canada West, of persons alleged to contemplate hostile incursions into the United States. The reports by the officers instructed to make inquiries on the subject lead me to believe that there was no foundation for ———'s statements, and that no such designs as he mentioned had any existence.

I have the honor to transmit to you copies of these reports.

I have, &c., &c.,

MONCK.

J. H. BURNLEY, *&c., &c., &c.*

Mr. Kemp to Lieutenant Colonel Ermatiargur and Mr. Clarke.

MONTREAL, *April* 4, 1865.

GENERAL: I have the honor to report, in accordance with instructions, that on the 25th of March last I proceeded to ——, in the county of Carleton, Upper Canada, to confer with Mr. —— on the subject of the raid said to have been in progress of organization at Amprior or a descent upon Ogdensburg and Rochester, in the State of New York.

The honorable T. F. Potter, consul general of the United States of America, furnished me with the copy of a letter from —— to the Hon. W. H. Seward, Secretary of State of the United States of America, and copy of a despatch from the Secretary of State, Mr. Seward, to Consul General Mr. Potter. Mr. Potter gave me a letter of introduction to Mr. ——. After interview with Mr. —— I then proceeded to investigate the matter of the contemplated raid. Mr. —— gave me a statement in his handwriting, which I hereunto annex, marked A. I then made arrangements with him to go to Amprior on Saturday, the 1st April, instant. I then returned to Montreal, and reported that from all appearance there might possibly be some truth in the projected raid. On Thursday, March 30 last, I received a telegraph from the said ——, intimating to me to await a letter he had sent by mail. Having received no letter from him, as intimated to me, I left Montreal for Amprior on Friday, the 31st of March last, and on my arrival at the station, as it had been previously agreed upon, I there met with ——. I should say that from the appearance of ——, I am satisfied that he did not expect me.

I then proceeded to Amprior with him. After the interview with John R. Fitzsimmons, he (Fitzsimmons) made the statement hereunto annexed, marked B, which was written by ——.

Since my return to Montreal I have received a letter from ——, of which I subjoin a copy.

From the information I have been able to gather, I have great reason to doubt the truth of the statement made by ——, who, I learn, is not a reliable person.

What —— said of Goodall with reference to his having been paymaster to the refugees was greatly exaggerated. All Goodall ever paid, I find, was $5 to one McFayden, to meet him at Kingston, at one Johnson's, whenever he would write to him to come there; but he never wrote, and of course McFayden did not go. —— statement with regard to the Rev. O. S. Hackett is also very unreliable, for I ascertained that that gentleman had no relations with Goodall whatever. On the whole, I do not see that any credence should be given —— to statements.

——, Fitzsimmons, and McFayden are spoken of, from all I could learn, as three persons of the worst possible character; and I would add that —— was looked upon in his neighborhood as a troublesome and dangerous person—so much so, that having lately given great offence, he was, on the 1st of March, tarred and feathered.

I sincerely believe that in giving information as to the meditated raid, he expected to bring the parties he suspected of having maltreated him to trouble and annoyance, and hoped besides to obtain favors and some notoriety.

The whole respectfully submitted:

G. L. KEMP.

Lieutenant Colonel W. ERMATTERGER and
ELEAZER CLARKE, Esq.,
Police Magistrates.

A.

Mr. —— to Mr. Kemp.

——, *County of Carleton.*

STATEMENT OF PLOT AS IT CAME TO THE KNOWLEDGE OF THE UNDERSIGNED.

About the 1st of March I was informed that a plot was being concocted at Amprior for the purpose of making a raid simultaneously with persons from Kingston, Gananogue, and Diebreuson's Landing, to cross over the St. Lawrence, attack Ogdensburg, and unite at that point, seize the railroad, proceed to Rochester, take that city, and if endangered, to recross the St. Lawrence and disperse and bring all the plunder (especially that of the banks) to the Canada side. I did, on the 12th of March, write to the Hon. W. H. Seward, stating the existence of a plot for that purpose, at the head of which is the Rev. O. S. Hackett, a refugee from the State of Arkansas, and one F. S. Goodall, from Tennessee. This F. S. Goodall is cashier.

On the 24th of March a letter was written to me from Amprior by F. R. Fitzsimmons, wishing me to go there and influence some parties to join the raid, offering money to do so. (A

nearly verbatim copy of this letter I herewith subjoin.) This letter I sent on Saturday last to the State Department at Washington.

On the 27th I met with Messrs. Galloway and Kemp, who were sent by the United States government, or rather the United States consular general, to confer with me on the subject, and by mutual arrangement I agreed to go to Amprior on Saturday, the 30th, and obtain sufficient proof to convict the attempted perpetrators of a gross outrage.

I must say that I did expect a communication from the Secretary of State acknowledging the receipt of my communication and making arrangements according to my expressed desire; but as they have thought it more conducive to the general good to act otherwise, I bow to their decision and will do everything in my power to have this contemplated raid frustrated and its concoctors punished.

—— ——.

Mr. KEMP.

B.

COUNTY OF RENFREW, (one of the united counties of Lancaster and Renfrew:)

I, John Robert Fitzsimmons, of the incorporated village of Amprior, in the county of Renfrew, &c., inn-keeper, do declare and say, that there was an attempt made to induce certain shantymen, by a person calling himself J. S. Goodall, to join what the said John S. Goodall said was intended to be a raid to plunder certain of the towns on the front; that he wished me to join his party, which I declined; that he heard that a report had been sent to the United States government of the intended raid, and that he left for Kingston, saying that all his plans were "burst up." I further say, that certain parties here, hostile to ——, whom I will not mention, offered me a handsome sum of money to induce him to use his influence with certain parties in the township of —— to join the said raiding party, for the purpose of inveigling him into a trap, so that they could prosecute him for breach of the neutrality law; that I consented to it at first, but when Mr. —— came to Amprior to-day I repeated and told him the whole conspiracy on condition that I should not be prosecuted. J. S. Goodall, aforesaid, before he had heard of the plot being discovered, said he could furnish arms, ammunition and money, if he could get some to join; but when he discovered, about a fortnight ago, that information had been given to the United States government, he said all was burst up, and they would make no attempt this year. Had the enterprise gone on I believe I would have assisted. I make this declaration solely upon the condition that I shall not be prosecuted, and Mr. —— has promised that I should not. I further state that I have often seen the said J. S. Goodall (who while he was here called himself Henry Smith) in frequent and earnest conversation with the Rev. O. S. Hackett, who is a confederate refugee. The letter I wrote to Mr. ——, on the 24th March, is also to be included in this exemption from the prosecution aforesaid, as it was written for the purpose of inveigling the said —— in a trap, as before mentioned.

JOHN R. FITZSIMMONS.

Signed in presence of us, this 1st day of April, A. D. 1865.

—— ——,
ANGUS MCFAYDEN.

Copy of a letter from J. R. Fitzsimmons to ——, as well as I can recollect.

AMPRIOR, *March* 24, 1865.

SIR: We are getting on prosperously. We are to make the attempt after the 10th or 12th of April. Goodall furnishes plenty of money, and is gone to Kingston to get the boys ready there. We met in Hackett's house, and in my place there are a great many who would join if you would come here and press them. If you do come we will pay you well for your trouble. I know you would not join us, but a great many say if you were here they would abide by what you would say; so do come. We will pay all your expenses and more too. If you say the word, forty or fifty of the young men of the township would join us. I will let you know all the scheme, if you come down, when I see you.

Yours truly,

J. R. FITZSIMMONS.

—— ——.

RICHMOND, *Thursday, March* 29, 1865.

DEAR SIR: I have made all the arrangements necessary. I have hired a conveyance to take me to Franktown on Friday evening, so that I shall be in Amprior by the 11 o'clock

train on Saturday. I shall have to remain at Amprior all day Saturday, and must return on Sunday, and for this purpose I have engaged another conveyance to come to Amprior from here and take me home on Sunday. From the bad state of the roads I had to pay $3 to take me to Franktown, and $8 for the conveyance to go to Amprior and take me home on Sunday.

I have also made arrangements to take me to Ottawa Monday evening, when I shall telegraph to you.

There is some great movement going on in the Orange body. I saw a letter to-day calling a special meeting of the county lodge of Carleton, to meet on Saturday next on the most urgent business, "as the very existence of the order is threatened." However, I shall ascertain this when I return, and repeat it to you. It is, I am sure, something in connexion with a contemplated raid. The Orangemen were loyal to a man, but I believe the sympathies of most of them are enlisted with the south, more especially as they imagine the Fenian movement in countenanced by the federal government. There is something important in the wind, and we are on the eve of great events.

Now, I beg of you to show this letter to no person but the consul general. If it was known that I revealed to you or any one else the movements of the *order*, my life is not worth a month's purchase. Take no further steps till you receive my despatch after I return from Amprior.

Yours, very truly,

—— ——.

GALLOWAY L. KEMP, Esq.,
Ottawa Hotel, Montreal.

COUNTY CROWN ATTORNEY'S OFFICE,
Ottawa, April 7, 1865.

SIR: In reference to your telegram of the 3d instant, stating that information had been given that raiders' conspiracies were on foot in this neighborhood, and requiring me to make investigations, &c., I have the honor to report that immediately upon its receipt I instituted inquiries in every direction where I thought it likely information could be obtained upon the subject. From the result, as well as from my own observations, I am at present of opinion that no such conspiracies are on foot in this vicinity. There are very few strangers about this city who appear liable to any suspicion of such conduct.

I made my inquiries, however, so privately as not to alarm the conspirators, if any there be, or put them upon their guard; and I have still reliable parties on the alert. Should any discovery be made I will not fail to keep you informed, and, if necessary, to take steps to bring the offenders to justice.

I have, &c.,

ROBERT LEES,
County Crown Attorney, Carleton.

Hon. JAMES COCKBURN,
Solicitor General, Quebec.

CORNWALL, *April* 8, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 3d instant, enclosing a copy of a statement alleging the existence of arrangements for a raid from Dickenson's landing and other places, and requesting me to ascertain whether there was any truth in the report.

Immediately on receipt of your letter I called on the collector of customs, R. K. Bullock, esq., who went the same day to Dickenson's landing, and made inquiries there as to the truth of the report; he informs me that he is satisfied from his inquiries that there is nothing of the kind in progress there.

I am of opinion, from my own knowledge of the position of Dickenson's landing, that it is not a place from which a raid could be attempted, as the crossing of the river there is difficult, and can only be effected in canoes or small boats. There is no town or village on the the American side of the river within some miles of it. There is no railway on that side nearer than Pottsdam, which is some miles in the interior, and no steamboats are at present going up or down the river.

I have instructed one or two persons at Dickenson's landing to be on the lookout, and to inform me of any suspicious circumstances that may occur there.

In reference to ——, the informant of the government, I may state that I saw on the first page of the Montreal Gazette, of the — instant, a paragraph to the effect that ——, principal of the —— Grammar School, had been tarred and feathered at Amprior. An investigation into this outrage may throw some light upon the subject.

I have, &c.

J. F. PRINGLE.

H. BERNARD, Esq.,
Attorney General, Department Canada West, Quebec.

Mr. Burnley to Mr. Hunter.

WASHINGTON, *April* 18, 1865.

SIR: I have the honor to transmit, in original, affidavits relative to property alleged to have been seized at Savannah by the United States officers, and stated to belong to James Hart, who claims British protection.

This property consists of two wagons, a horse, a mule, and six bales of cotton, the whole valued at $3,529.

I would beg you to take these papers into consideration with a view to a settlement of the claim, should his British nationality and neutrality be fully made out.

I have the honor to be, with high consideration, sir, your most obedient, humble servant.

J. HUME BURNLEY.

Hon. W. HUNTER, *&c., &c., &c.*

P. S.—I beg you to return the affidavits to me.

[Enclosure.]

UNITED STATES OF AMERICA,
State of Georgia, Chatham county, city of Savannah.

To all whom it may concern:

Be it known, that on the 3d day of April, A. D. 1865, before me, Edward C. Hough, a public notary, duly appointed, commissioned, and sworn, for the county and State aforesaid, personally appeared James Hart, an alien, and a subject of her Britannic Majesty the Queen of Great Britain, residing in the city of Savannah, county and State aforesaid, who, being duly sworn, declares that on or before the 21st day of December, A. D. 1864, that being the day on which the city of Savannah was occupied by the military forces of the United States, he, the said James Hart, was the *bona fide* owner of the following named articles of property, to wit:

One wagon, of the value of	$75 00
One wagon, of the value of	50 00
One horse, of the value of	200 00
One mule, of the value of	60 00
Six (6) bales of upland cotton, marked J. H., weighing thirty-nine hundred and thirty (3,930) pounds, reported and registered at the office of Lieutenant Colonel H. C. Ransom, United States army quartermaster, in charge of cotton, and valued at eighty (80) cents per pound	3,144 00
Total value	3,529 00

And the same James Hart further declares that the various articles of property before named have been unlawfully seized and removed from his possession and control without his consent and against his will, he being, and having been for some time past, the *bona fide* owner of said property, by officers of the United States army, as follows:

December 27, 1864, one wagon, valued at $75; January 13, 1865, one wagon, valued at $50; January 18, 1865, one horse, valued at $200, taken by officers who stated that they were connected with the 20th United States army corps, and who refused to give their names, as also any receipt and acknowledgment therefor, except for the horse, for which a receipt was given, a true copy of which is herein written; March 6, 1865, one mule, valued at $60, taken by an officer who stated that he belonged to the 19th army corps of the United States, and who refused to give any receipt therefor; and on the 11th day of March, A. D. 1865, six bales of cotton, upland, weighing 3,930 pounds, stored upon the premises of the said James Hart, on Bemen street, Savannah, and of which a copy of the original bill of sale is herein written, were taken by Lieutenant Colonel H. C. Ransom, of the United States army, as quartermaster in charge of cotton, or by persons acting under orders from or in conjunction with him.

Now, therefore, in view of the principles of international law, the said James Hart does solemnly protest, and I, the said notary public, at the special instance and request of the said James Hart, do solemnly and publicly protest, against the said seizure and removal of said

property on the ground that the government of which he is a subject is at peace with the government of the United States of America, and that the said James Hart is not and has not been in any way connected with or compromised in the belligerent operations now and for some time past in progress within the country of the United States of America; that neither his person nor his property is or ought to be impressed with a hostile character, and that he is entitled to the consideration and protection of the laws of the United States of America as a neutral resident, as aforesaid.

This done and protested in the city of Savannah, county of Chatham, State of Georgia, and United States of America, on the day and in the year aforesaid.

In testimony whereof, I have caused the same James Hart to sign these presents, and I, the said notary public, have subscribed my name officially, and have affixed my seal of office on the day and year aforesaid. [SEAL.]

JAMES HART.
EDWARD HOUGH,
Notary Public, Chatham County.

SAVANNAH, GEORGIA, *January* 18, 1865.

In accordance with instructions from Major General W. T. Sherman, commanding military division of the Mississippi, I hereby certify that I have this day taken possession of one (1) horse in behalf of the United States; said horse was in possession of James Hart, of Savannah, Georgia, in a stable situated on Banyen street, known as Robertsville, and number not stated. No payment has been made or tendered for said horse; it will be found accounted for, upon my return of quartermaster stores for the month of January, 1865, in due accordance with section 22, Appendix B, Revised Regulations.

JOSEPH A. SCHONLUGER,
Capt. 68th Inf. O. V., and A. A. Gen'l 20th A. C.

Duplicates made—one given and one retained.

SAVANNAH, *August* 3, 1864.

Mr. James Hart bought of D. Bennett 6 bales cotton, 3,930 lbs., at $1 10 per lb.... $4,323

Received payment,

D. BENNETT.

STATE OF GEORGIA, *Chatham county, city of Savannah:*

Before me, Edward C. Hough, a public notary in and for the county and State above written, personally appeared John Hart, who, being duly sworn, deposeth and saith:

That he has had for some time past an intimate acquaintance with the affairs of James Hart, and believes the property referred to in the accompanying protest to be the *bona fide* property of the said James Hart, and that he knows that said property was taken from the said James Hart by persons belonging to the United States army.

JNO. HART.

Sworn to and subscribed before me this day, April 4, 1865.

[L. S.]

EDWARD C. HOUGH,
Notary Public, Chatham County, Savannah.

Sir Frederick Bruce to Mr. Hunter.

WASHINGTON, *April* 20, 1865.

SIR: The correspondence which passed between the Secretary of State of the United States and Mr. Burnley, respecting the proclamation of the late President of the United States which imposes the penalty of confinement as prisoners of war, upon domiciled aliens and non-resident foreigners who have been or shall have been engaged in violating the blockade of the southern ports, has been taken into serious consideration by her Majesty's government, and I am now instructed by her Majesty's principal secretary of state for foreign affairs to inform the government of the United States that her Majesty's government entirely concur in the principles laid down in the memorandum which was transmitted by Mr. Burnley to the Secretary of State of the United States in his note of the 16th ultimo.

It is not necessary, I am to state, to dispute the right of the United States

government to order any individual foreigner or foreigners that they may consider to be dangerous or hostile to the United States government to leave their territory upon reasonable notice; but her Majesty's government do not consider that the proclamation can be justified on that principle. It is addressed to no particular individual, but to "non-resident foreigners who have been or shall have been engaged in violating the blockade of the insurgent ports." And it makes the continuance of any person who may afterwards be decided by martial law, to fall within this catagory, for twelve days in the United States a ground for his imprisonment, in military custody, until the end of the war.

Her Majesty's government are of opinion that this cannot be called a reasonable warning to individuals to leave the United States territory, and that it is nothing less than the enactment of an *ex post facto* criminal law, and an evasion of the restraints of international law, under the color of territorial rights, and that it is obvious such an edict, if acted upon, may be the occasion of most arbitrary injustice towards the subjects of neutral states, to which her Majesty's government cannot be expected to submit.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *April* 22, 1865.

SIR: I have the honor to transmit to you herewith a copy of a despatch which I have received from the governor general of Canada, informing me of the measures taken by his excellency on receiving intelligence of the assassination of the President of the United States, and requesting me to communicate to the Secretary of State of the United States, on the part of the government and people of Canada, their feelings of abhorrence of the crime and of sympathy at the loss which has been sustained by the government and citizens of the United States.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Viscount Monck to Sir F. Bruce.

QUEBEC, *April* 17, 1865.

SIR: The intelligence of the perpetration of the atrocious outrage by which the United States have been deprived of their Chief Magistrate has filled all classes of the community in this province with awe and horror.

Immediately that I received a confirmation of the sad news, I gave directions, in conjunction with the lieutenant general commanding her Majesty's troops in this province, that at all civil and military stations the flags should be hoisted half-mast high.

I shall feel much obliged if you will take a fitting opportunity of communicating to the Secretary of State of the United States, on the part of the government and people of this province, their deep feeling of abhorrence of the crime which has been committed, and their profound sympathy with the government and citizens of the United States at the loss which they have sustained.

I have, &c.,

MONCK.

Hon. SIR F. BRUCE, G. C. B., *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *April* 22, 1865.

SIR: With reference to Mr. Seward's note of the 23d January, and to Mr. Burnley's reply of the 25th January, relative to an alleged projected raid on United States ships on the coast of the Pacific, I have the honor to transmit a copy of a despatch which has been addressed by Vice-Admiral Sir James Hope to the secretary of the admiralty on the subject.

I have the honor to be, with the highest consideration, sir, your obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Sir James Hope to the Secretary of the Admiralty.

DUNCAN AT TRINIDAD, *March* 8, 1865.

SIR: You will be pleased to acquaint the lords commissioners of the admiralty, in reply to your letter of the 16th ultimo, that in conversation with the governor of Demarara, on the subject of the alleged attempt to seize United States steam vessels in the Pacific, he expressed his intention of taking every means in his power to frustrate this scheme should any attempt be made to carry it into execution, and that the senior officer of the division will be directed to afford him every assistance for this purpose.

I have, &c.,

J. HOPE.

The SECRETARY OF THE ADMIRALTY.

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *April* 24, 1865.

SIR: Mr. Burnley communicated to the governor general of Canada the note which the Secretary of State of the United States did Mr. Burnley the honor to address to him on the 13th instant, relative to the mode of dealing with articles exported inland from Canada to the United States, and I have now the honor to transmit to you a copy of his excellency's answer, requesting me to convey his thanks for the manner in which his application on this subject has been received.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER.

Viscount Monck to Sir F. Bruce.

GOVERNMENT HOUSE, *Quebec*, *April* 20, 1865.

SIR: I have the honor to acknowledge receipt of your despatch of April 15, and enclosures, relative to the mode of dealing with articles exported inland from Canada to the United States.

I shall feel much obliged if you will communicate to the Secretary of State of the United States my thanks for the manner in which my application on this subject has been met by him.

I have, &c.,

MONCK.

SIR F. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 24, 1865.

SIR: I have the honor to acknowledge the receipt of Mr. Burnley's note of the 18th instant, which is accompanied by a copy of a despatch of the 3d instant, from his excellency Rawson Rawson, the governor of the Bahamas, in which he points out certain requirements for the fulfilment of the extradition of Vernon G. Locke *alias* John Parker, or John Parker Locke. Waiving a consideration of the question whether the delivery of Locke could be claimed pending his trial for a violation of British law or his fulfilment of a sentence, I have the honor to inform you that I have forwarded to T. Kirkpatrick, esq., the consul of the United States at Nassau, a duly authenticated copy of such complaints, warrants and depositions as, it is believed, will fill the requirements of the treaty and the act of the imperial Parliament in force in the Bahamas.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 24, 1865.

SIR: I have the honor to acknowledge the receipt of Mr. Burnley's note, together with its accompaniments, from the governor general of Canada, in regard to the allegations of Mr. ———, concerning an organization existing in Canada, having for its object the destruction of adjacent towns in the United States. I beg you will cause to be conveyed to Lord Monck my thanks for the information.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 25, 1865.

SIR: I have the honor to acknowledge the receipt of Mr. Burnley's note of the 18th instant, transmitting a copy of a despatch received by him from his excellency the governor of the Bahamas relative to the movements, in the port of Nassau, of a schooner called the Gypsy, which formed the subject of a note of the 3d ultimo from this department.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 25, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 22d instant, transmitting to me a copy of a despatch of the 17th instant from Viscount Monck, the governor general of Canada, announcing the adoption of certain measures by his excellency upon receiving intelligence of the assassination of the President of the United States, and requesting you to communicate to this government, on the part of the government and people of Canada, their feelings of abhorrence of the crime, and sympathy at the loss which has been sustained by the government and citizens of the United States.

I must beg you to convey to his excellency, in reply, the assurance that the spontaneous and hearty manifestations of grief and sympathy are most gratefully appreciated by the government and people of this country.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 25, 1865.

MY DEAR SIR: I have the pleasure of acknowledging the receipt of your letter of the 3d instant, informing the Secretary of State, at the instance of Lord Monck, of the decision of the Canadian courts in regard to the St. Albans raiders and their subsequent re-arrest on a charge of violating the Queen's neutrality.

I am, my dear sir, very faithfully yours,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c. &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 25, 1865.

SIR: I have the honor to acknowledge the receipt of Mr. Burnley's note of the 18th instant, and of its accompanying copy of Governor Rawson's answer to Mr. Seward's note upon the subject of the equipment of five vessels at the Bahamas for purposes hostile to the United States, and I beg you to cause to be conveyed to his excellency an expression of my thankfulness for the information.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 25, 1865.

SIR: I have the honor to request that you will have the kindness to cause the seal and certificate of this department, attached to the enclosed papers relating to the case of Vernon G. Locke, *alias* John Parker or John Parker Locke, to be authenticated under the seal of the British legation, in order that the papers may receive due consideration by the judicial authorities at the Bahamas with reference to the proposed extradition of Locke.

I will thank you to return the papers to me with the proper certificate, and to inform the governor of the Bahamas that they will be forwarded by this department to the United States consul at Nassau.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *April* 25, 1865.

SIR: I have the honor to transmit to you a copy of a despatch which I have received from her Majesty's consul at New York, enclosing copies of resolutions adopted at a meeting of British residents of New York, for the purpose of expressing their sympathy and condolence upon the occasion of the national bereavement caused by the assassination of the late President. I also beg that the accompanying despatch, enclosing a copy of the same document, may be forwarded to the honorable Mrs. Lincoln.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Mr. Archibald to Sir F. Bruce.

BRITISH CONSULATE, *New York, April* 21, 1865.

SIR: I have the honor to transmit, herewith enclosed, copies of resolutions adopted at a meeting of British residents of New York, held on the 18th instant, for the purpose of expressing their sympathy and condolence with the American people under the national bereavement caused by the assassination of the late President.

In compliance with the wishes of the meeting, expressed in their third resolution, I have the honor to request that you will be so good as to communicate the resolutions in such manner as you may think proper, to the government of the United States and to Mrs. Lincoln and the members of the family of the late President.

I have, &c.,

EDWARD M. ARCHIBALD.

Hon. SIR F. W. BRUCE, G. C. B., *&c., &c., &c.*

[For resolutions above referred to see Appendix, separate volume.]

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 26, 1865.

SIR: I have the honor to acknowledge the receipt of your note of yesterday, transmitting a copy of a despatch of the 21st instant from her Britannic Majesty's

consul at New York, enclosing copies of a resolution adopted at a meeting of British residents of New York, for the purpose of expressing their sympathy and condolence upon the occasion of the national bereavement caused by the assassination of the late President. I received at the same time the sealed packet addressed to Mrs. Lincoln, which, in compliance with your request, shall be forwarded to her.

I must beg permission to assure you that the earnest expressions of sympathy and condolence contained in Mr. Archibald's despatch, and in the resolution referred to, will be received by the widow and family of the deceased, and by the government and people of the United States, as an acceptable tribute to his memory, and a truthful manifestation of the sentiments of a large and highly respectable body of her Majesty's subjects.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 28, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 22d instant, enclosing a copy of a despatch addressed by Vice-Admiral Sir James Hope to the secretary of the admiralty, relative to the threatened destruction of United States ships on the coast of the Pacific, and to express my gratification at the hearty disposition evinced by her Majesty's officers on that coast to prevent an execution of the design..

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 28, 1865.

SIR: I have the honor to acknowledge the receipt of Mr. Burnley's note of the 18th instant, which is accompanied by copies of a correspondence received from his excellency the governor of Bahamas, relative to the movements of United ships-of-war off Matthew town, Inagua, in contravention of her Majesty's proclamation. In reply, I have the honor to state that the attention of the Secretary of the Navy has been invited to a copy of that communication.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *April* 28, 1865.

SIR: At the request of the governor general of Canada, I have the honor to transmit to you three copies of resolutions adopted at a public meeting held in London, Canada, on receipt of the news of the assassination of the late Presi-

dent. The copies are destined, respectively, for the President, the Hon. Mrs. Lincoln, and the Secretary of State of the United States.

I have also, at his excellency's request, the honor to transmit to you copies of a letter addressed to him by the mayor of Woodstock, Canada West, and of the resolutions adopted by the residents of that place, on the same mournful occasion.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

[For enclosures see Appendix, separate volume.]

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *April* 28, 1865.

SIR: The mayor of Brockville, Canada West, has requested me to transmit to you the accompanying copy of resolutions passed at a public meeting of the inhabitants of that town on the occasion of the assassination of the late President of the United States.

I have also the honor, at the request of the mayor of St. Thomas, county of Elgin, Canada, to transmit to you letters for the President of the United States and the Hon. Mrs. Lincoln, containing resolutions passed at a public meeting of the inhabitants.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &., &c.*

[For enclosures see Appendix, separate volume.]

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, April 29, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 20th instant, in regard to the views entertained by her Majesty's government upon a proclamation of the late President of the United States, respecting the penalty to which non-resident foreigners may be subjected in violating the blockade of the southern ports. In reply, I have the honor to inform you that it will receive due consideration.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c. &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 1, 1865.

SIR: As I observe that a large quantity of cotton was found in Mobile at the time of its capture, of which I have reason to believe a portion belongs to British subjects, I have the honor to bring the subject under your notice, in connexion with the correspondence which has passed between the Department of State and this legation respecting cotton found in Savannah and Charleston.

It would appear that there is no danger of the recapture of Mobile, the so-called Confederate States having no longer any army in the field in that district.

The most urgent motive for the transport of the cotton thus disappears, and I therefore venture to hope that the claims of neutrals to cotton and other property may be taken into consideration and determined on the spot, so that the difficulty of ascertaining the ownership, and the delay occasioned by its removal to another port, may be avoided.

I may observe, further, that in all probability cotton purchased before the war may have been left there, for, owing to the blockade having been declared as soon as hostilities broke out, no opportunity was afforded of taking it away; and in estimating the neutrality of residents, this circumstance ought to have been taken into consideration.

The residents had no time allowed them to realize their property and take it out of the country, although the usages of modern war, and even the provisions of treaties, usually grant a sufficient term for the purpose to merchants who are resident in a state with which their country is involved in hostilities.

They were thus compelled to remain or to abandon their property.

It will not be amiss to point out, for the equitable consideration of the government of the United States, that the great majority of British residents in these cities are men of small means, living by a small retail trade.

Unable to leave, they were compelled by necessity to seek a livelihood by carrying on any trade open to them; and in the course of it, invested their gains in small parcels of cotton, brought to market by the neighboring country people, as the only safe investment amid the uncertainties to which the value of confederate currency was exposed.

It appears to me that it would be a very harsh proceeding to consider a trade of such a nature as inconsistent with a position of *bona fide* neutrality.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, Esq., *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 1, 1865.

SIR: I have the honor to transmit to you herewith a copy of the resolutions of the St. George's Benevolent Society of Cincinnati, with reference to the assassination of the late President. This document has been forwarded to me by her Majesty's consul at St. Louis.

I have also the honor, at the request of the secretary of the St. George's Society of the city of Madison, Wisconsin, to transmit to you a copy of the resolutions passed by that society on the same occasion, and to beg that you will have the goodness to cause the same to be communicated to the Hon. Mrs. Lincoln.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

[For enclosures see Appendix, separate volume.]

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 1st instant, in regard to the disposition of cotton at Mobile and in that vicinity which may

be claimed by British subjects, and, in reply, to inform you that I have submitted a copy of your note to the Secretary of War for his consideration.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 1st instant, which is accompanied by a copy of resolutions of the St. George's Benevolent Society of Cincinnati, expressive of their indignation of the diabolical act which deprived this government of its head, and of their sympathy with the people of the United States in this their national loss; also, a copy of resolutions adopted by the members of the St. George's Society of Madison, Wisconsin, which, in compliance with your request, will be communicated to the Hon. Mrs. Lincoln.

On behalf of the government and people of the United States, I will thank you to convey to the aforenamed societies an expression of their grateful sense of the sympathy and good feeling manifested in their resolutions.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 28th of April, transmitting a copy of resolutions adopted by the inhabitants of Brockville, Canada West, at a meeting held on the 19th ultimo, expressive of their abhorrence and regret at the assassination of our lamented Chief Magistrate; also letters for the President of the United States and the Hon. Mrs. Lincoln, containing resolutions passed in the same spirit at a public meeting of the citizens of St. Thomas, Canada.

It will afford me much satisfaction to cause these generous and friendly resolutions of her Majesty's subjects to be conveyed to their destination.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 6, 1865.

SIR: Referring to Mr. Burnley's note of the 18th ultimo, inviting my attention, at the instance of his excellency the governor of the Bahamas, to the movements in the roadstead off Matthew town of the United States ships-of-war in contravention of her Majesty's proclamation, I have the honor to inform you that it is stated in a letter of the 4th instant, from the Secretary of the Navy,

that upon receipt of the intelligence instructions were immediately forwarded to the senior commanding officer of the convoy fleet in the West Indies to conform in every respect to the requirements of the neutrality proclamation of Great Britain.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 6, 1865.

SIR: At the request of the governor general of Canada, I have the honor to transmit to you, with a request that they may be forwarded to their respective destination, the following addresses and resolutions on the occasion of the assassination of the late President:

An address from the Board of Trade of the city of London, Canada West, to the President of the United States.

A copy of a resolution adopted by the corporation of the same city.

An address from the inhabitants of the town of Galt, in Canada West, to the Hon. William H. Seward, Secretary of State.

A copy of resolutions adopted by a public meeting of the inhabitants of the towns of Berlin and Waterloo, Canada West.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

[For enclosures see Appendix, separate volume.]

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 8, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 6th instant, transmitting an address from the Board of Trade of the city of London, Canada West, to the President of the United States; a copy of a resolution adopted by the corporation of the same city; an address from the inhabitants of the town of Galt, in Canada West, to Mr. Seward; a copy of resolutions adopted by a public meeting of the inhabitants of the towns of Berlin and Waterloo, Canada West—all of them having been inspired by the assassination of the late President, and expressing in becoming terms regret at the event, and sympathy with the afflicted family of the deceased, and with the people of the United States.

Thanking you for communicating to me these expressive utterances of friendly communities, I beg you to convey to their respective authors assurances of the grateful sense entertained by the government and people of the United States of the sensibility and sympathy thus evinced. I shall willingly carry out your wishes by forwarding the documents to their proper destinations.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 9, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 28th ultimo, transmitting three copies of resolutions adopted at a public meeting held in London, Canada, on receipt of the news of the assassination of President Lincoln, and a copy of a letter addressed to the governor general of Canada by the mayor of Woodstock, and the resolutions adopted by the citizens of that place on the same mournful occasion.

I will thank you to cause to be conveyed to the respective parties from which these manifestations of sympathy have emanated, assurances that they are gratefully accepted by the government and the people of the United States, and I shall not fail to give to the copies of the resolutions the direction indicated in your note.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 10, 1865.

SIR: I have the honor to forward you the following documents, which have been transmitted to me from Canada and New Brunswick, and which have been called forth by the assassination of President Lincoln:

A resolution adopted by the council of the corporation of the city of Toronto, Canada.

A letter to the Hon. William H. Seward from the mayor of the city of Hamilton, Canada West, together with a copy of resolutions adopted by the corporation of that city.

Resolutions of the Grand Division Sons of Temperance, New Brunswick.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

[For enclosures see Appendix, separate volume.]

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 13, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 10th instant, with which you transmitted to me a resolution adopted by the council of the corporation of the city of Toronto, Canada; a letter to Mr. Seward from the mayor of the city of Hamilton, Canada West, together with a copy of resolutions adopted by the corporation of that city, and resolutions of the Grand Division Sons of Temperance, of New Brunswick, which communications and resolutions have been called forth by the assassination of President Lincoln, and the events attendant upon that atrocious act.

I must beg you to convey to the respected sources of these very acceptable expressions of sympathy the grateful acknowledgments of the government and people of the United States.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. Sir FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 13, 1865.

SIR: I am directed to call your attention to the fact that, pursuant to unofficial intelligence which has reached here, the insurgent ram Stonewall was recently anchored near the port of Nassau, after having captured at least one vessel of the United States on her way from Europe. According to another report, an United States schooner which had been captured by insurgents in Chesapeake bay had reached another British island, and, though her restitution was asked for by the United States consul there, the request was refused by the authorities.

Assuming this information to be correct, the President of the United States is of the opinion that the time has now arrived when this government must expect those foreign powers which have hitherto recognized the piratical cruisers of the insurgents as entitled to belligerent rights in their ports and on the high seas to withdraw that recognition, and no longer to extend countenance and protection to those plunderers and burners of vessels of the United States. He hopes, also, that you may be authorized, and may deem yourself warranted by your knowledge of the present condition of affairs in this country, to instruct or request those officers of her Majesty's colonial possessions adjacent to the United States to refuse to receive vessels flying the flag of the insurgents.

I am instructed to add, however, that while disclaiming all intention of offering any threat, if it should not be competent for you to adopt the measures referred to, and those authorities should continue to welcome and grant hospitality to the vessels of the insurgents, or should not at once be checked in that course by the authorities at home, this government will deem itself warranted and compelled, with all reasonable courtesies, to adopt any course by which those vessels may be prevented from continuing their piratical ravages upon the commerce of the United States.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. Sir FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 16, 1865.

SIR: I have the honor, at the request of the governor of the Bahamas, to forward to you, for the information of the United States government, copies of the report and evidence in the case of the wreck of the United States schooner J. L. Gerrity, which was run ashore by her master on one of the Bahamas on the 5th of April, and to beg that you will have the goodness to communi-

cate the same to the owners of the schooner, and to such other persons as it may concern.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W: A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

BAHAMA ISLANDS, NEW PROVIDENCE,
On the 12th and 13th days of April, 1865.

In the matter of the loss of the American schooner J. L. Gerity, Thomas Knapp, master stranded on Great Stirrups cay, within the Bahama islands.

REPORT OF EDWARD BARNETT ANDERSON TAYLOR, ESQUIRE, POLICE MAGISTRATE OF THE ISLAND OF NEW PROVIDENCE, AND ONE OF HER MAJESTY'S GENERAL JUSTICES OF THE PEACE IN AND FOR THE SAID BAHAMA ISLANDS.

A formal investigation into the cause and circumstances attending the stranding and abandonment of the above-named vessel, on or near the southeast point of Great Stirrups cay, having been held by me, and having associated with me the honorable John Pinder as assessor, and now, in conformity with the requirements of the 28 Vic. chap. 14, and further, in obedience to the instructions conveyed in the colonial secretary's letter, of date 4th April, by direction of the governor, have the honor to forward herewith a copy of the evidence taken in the above case, with the opinion I have formed on the same.

The J. L. Gerity was registered at Gloucester, in the State of Massachusetts, in the United States of America, built in 1854, 77 tons and some odd fractions, fore-and-aft rigged, owned by Humphrey Clarke Knapp, (brother of the master of the J. L. Gerity,) residing in Boston, United States of America, but carrying on business at Gloucester, 30 miles distant, and extensively engaged in the fishery business.

The J. L. Gerity left Boston, United States of America, on the 6th day of March last past, bound to New Orleans, one of the said United States, laden with a cargo of mackerel in kits and half barrels, codfish and potatoes, and with a deck load of lumber, drawing nine feet of water. Besides the master, Thomas Knapp, she carried one mate, three seamen and one cook—six all told. She was insured against all risks, but the particular company or companies in which insured is not here known. On the second day out, having moderate weather, with a westerly wind, she sprung a leak, obliging the master to seek the port of New London, in the State of Connecticut, United States of America, when she was placed on the ways, examined and caulked, at a cost of $150 or £30. Having been considered fit for sea, she left that port on the 19th day of March in further prosecution of her voyage, light westerly winds blowing. That on the 20th, at 8 p. m., the wind shifted to S. S. W., gradually freshening and becoming cloudy; that on the 21st the wind incressed and shifting to S. E.; that on the 22d the wind further increased and shifted to S. W., a heavy sea running. The J. L. Gerity then labored and became strained by reason of the heavy seas which swept her deck and started the deck load, which was thrown over to lighten and ease her; that she was found to be leaking badly; that the weather still continued bad on the 23d, when it was found the vessel was leaking 800 strokes an hour; that the vessel was then in the Gulf; a drag was constructed, which they attached to the vessel; that the master then bore up for Bermuda, but was driven by the wind and drifted by the current to the eastward of that group; that the gale lasted five days, the wind shifting to the west, veered to north, when the weather became moderate; that on the first of April the vessel's course was changed to S. W., intending to make Hole-in-the-Wall, or Abaco light; that the vessel still was very leaky, but was always kept free by the exertions of the men; that Abaco light was made at 3 o'clock on the morning of the 5th April, bearing S. W. by W. and the light passed at six o'clock; that the course was then changed to W. by S. and that the master's purpose was then fixed to run the vessel ashore when some proper place could be found, which he states was some part of the Stirrups cay; that from the time of passing the Abaco light-house and the vessel's being put ashore, there was no communication with the shore, by signal or by gun; that her course after a while was changed to W. N. W., which she kept until she was run ashore on the southeastern point of Great Stirrups cay, on dangerous ground and among breakers; that around the point, on the sheltered side, was lying the licensed wrecking schooner Bob, Albury, master, with a crew of twenty men, who, as soon as the vessel went ashore, put off with eight of their number in a boat, and reached the stranded vessel in about ten minutes after she had struck heavily, and boarded her, took charge of the cargo and saved it, in conjunction with the services of some men, the crews of two small sail-boats, and by the two light-keepers at Great Stirrups cay.

These appear to be facts which may be accepted, and in which the master, mate, and crew agree; but there is one material point in the evidence given by the master of the stranded vessel which is not fully corroborated by the mate and crew, and which has an important bearing on this inquiry.

The master, Thomas Knapp, frankly and openly avers that he put his vessel ashore *intentionally*, to save the lives of the crew and to save the cargo. The necessity which compelled him, as he stated, to do this, was the frequent murmuring of the crew at the work imposed on them of *pumping the vessel*, and again peremptorily refusing "in a body" to pump any more, just one hour after leaving the light-house, about 8 o'clock on the morning of the 5th of April.

Now, it is admitted by both master and mate, and crew, that the vessel could be kept free with only one pump going.

William Wallace Cotterell, seaman, shows that his watch turned in at 12 o'clock midnight of the 4th April, and never was disturbed until 4 o'clock, the period for relieving the watch. That he came on deck at 4 o'clock, took his "trick" at the helm, and afterwards pumped. That before the J. L. Gerity struck on Great Stirrups cay, he had "sucked the vessel out," meaning, as he afterwards stated, that the pump sucked. That had he known that a port was as near as Nassau was to him, on passing Abaco light-house, he would and could have worked at the pump longer. That he never, after passing the light-house of Abaco on the morning of the 5th of April, renewed his complaint about pumping, nor did any of the crew. That they all left their safety to the captain, who promised to put them on shore "the first opportunity."

It must be borne in mind that the vessel was then, at the time of passing the Abaco light-house, at 6 o'clock on the morning of the 5th April, running at the rate of six knots an hour, with a brisk N. E. wind aft, fair for the port of Nassau; that she could be kept free; that Nassau was then only distant forty-two miles; that Stirrups cay, the place uppermost in the mind of the master to beach his vessel, was thirty miles distant, only *twelve miles less distant* than Nassau.

That the course in passing Abaco light was southwest by south; soon changed to west by south, and subsequently, at a later period of the forenoon, to west northwest, when the vessel was hauled up for Berry islands.

It is just here that Captain Knapp betrayed a want of judgment which seems wholly irreconcilable with the plainest dictates of duty. In reply to a direct question, "Why, in passing the Abaco light-house with a clear day before you, did you not continue your course, kept free as your vessel was, and make the port of Nassau, then only six or eight hours from you, making, as you were, six knots an hour, instead of bearing down for the Berry islands, and then hauling two or three points to the wind to reach Stirrups cay, which was almost equidistant from the Abaco light?"

In answer, the master replied: "The reason I did not make for Nassau, instead of Stirrups cay, was because I considered I had passed the port, and I had no sail to beat up. I never thought of Nassau. I thought I could proceed to Key West, but owing to the representation of the sailors, I changed my determination, and then wished to put the vessel ashore."

The absurdity in supposing that he had to *beat up* is shown by his previous statements and by the entries in the log of the vessel: by the facts that there was a strong northeast wind blowing dead aft, as fair as could blow for Nassau. It will be remarked that the absurdity of the reasons were almost as quickly weighed as announced, for the master immediately says, "I never thought of Nassau."

On referring to the evidence of the mate, it will be seen that he states that after passing the Abaco light the intention was to proceed to Nassau. The log was kept by the mate; the entry under date 5th April is thus:

"This day cumes in with 10 a. m. fresh winds, couddy, 2 a. m. two pump going, 3 a. m. made Abaco light baring S W W dis. 16 miles Jibed main sail and Run for it, 6 a. m. Pased Abaco light, 9 a. m. men came to Captain and Refused to Pump eny more and Captain concluded to Run her ashore, the fussd Convenant place to save life and Propertoy, Shaped cours for Berry Island, 11 a. m. made Berry Island and Run along shore to git a place to land.

"So end This done."

There is also this *last* entry in the log:

"6th day of April 1865. This twenty four hours cums in with fresh winds and clear 1 A M Run vesell ashore on Sturap Kea. Vesell Pounding Heavy Wreckers came on Bord and went at work on Carge as fast as they could to save it."

The contradiction between the statement of the mate before me and the record in the log is extraordinary. The master states that the log is made up by the mate.

With respect to the "log" of the J. L. Gerity or of that part which affects to contain a record of the daily occurrences happening in that vessel at sea, I would remark that the daily entries are not signed by the master, mate, or by any other person, nor by the master's statement is it made imperative by any law federal or State, nor is it customary. The master states that he *occasionally* read and approved of these entries; that since his arrival he has read and approved of the whole. A journal in such a state can be little depended on.

Another strong feature in this case, evincing want of judgment and an indefensible neglect of ordinary precaution, even of safety of life at the time when it was to be obtained by the sacrifice of the vessel, was the extraordinary part of the shore chosen for running the vessel on shore.

Some time before selecting a spot for his vessel, and while running past Great Harbor cay and making for Great Stirrups cay, the master of the wrecker Bob could be distinctly seen over the land near the point marked A, in a rough sketch of the two cays mentioned, hereto annexed. On opening points A (Great Stirrups cay) and B (Great Harbor cay) the hull of the wrecker was seen by all on board of the J. L. Gerity lying under the lee of the point "A," sheltered. The distance between points A and B is 4¼ cables, or a little less than a quarter of a mile. Midway between these points is a channel with at least 20 feet water, through which the J. L. Gerity might have gone to seek the shelter the wrecker sought, in what is called Great Harbor. The master admits that he did not refer to any chart. In reply to the question, "Why did you not seek the anchorage pointed out to you by another vessel lying there, and which was indicated so clearly on the chart?" he replied, "I knew there was smooth anchorage near the light-house, but I did not wish to anchor and sink." But your vessel could be kept free? "My men were fatigued, and I had promised them that I would put her ashore."

Captain Knapp was not a stranger to the difficulties which beset the mariner in his passage through the various channels leeward of New Providence. He had for years, before the civil war in America, traded between Boston and New Orleans, commanding square-rigged vessels. By his own admission he was, eleven years ago, in command of the ship Pontiac, which vessel was wrecked on the Great Isaacs just before the dawn of day, in, as he admits, fine weather.

The particular cause and circumstances attending the wreck of the Pontiac are unknown to me. It may have been one of those overwhelming accidents which surprise the most guarded and skilful mariner; but familiarized as Captain Knapp must have been with the charts of the locality, it does seem surprising that, jointly with his effort to save life and cargo, he had not thought of saving his vessel, the J. L. Gerity, by bringing her to anchor alongside of the wrecking schooner Bob, then lying sheltered, and of there seeking the aid and advice which Captain Albury, under the circumstances, would have tendered, and which it was his duty and his mission to give.

It is just here that, in my opinion, the master erred. I do not say *criminally*—considering that he was the judge of the necessity—but he exhibited a want of firmness and judgment indispensable for the command of a vessel under difficulties. Had he put plainly before his men that, with a little more exertion, he would put them safely in the port of Nassau, he would have satisfied them, for, in the course he took, he appears to have been influenced by *their* fears, *not his own;* for he says, "*I* thought I could have proceeded to Key West."

I do not wish to make any invidious comparison between the mercantile marine of my own nation and that of another as powerful and as enterprising; but if the American government would set up a machinery similar in its powers and scope to that which rules the marine department of the board of trade in England, where honesty and skill are rewarded by the impress of its authority and protection—I mean the "certificate system," which guarantees to the ship-owner that the person he employs possesses the requisite skill and judgment, and which frowns on the possessor of such certificate, and either suspends or wholly cancels his license, should unskilfulness be shown, or the want of that judgment which ordinary foresight, common prudence, and proper calculations would always insure, in fact a system which would establish a check against those multiform abuses which, wearing not exactly a criminal complexion, have no effectual statutable guards against their commission—wrecks and other casualties would be much less frequent in these waters.

The conduct of Captain Albury, wreck-master, and that of his crew, seems to have been exemplary. He had arrived the evening before from Harbor island, and saw the J. L. Gerity go ashore under the difficulties occasioned by a heavy sea; he boarded that vessel within ten or fifteen minutes after she went ashore, and saved the cargo and brought it to this port.

I cannot forbear expressing my opinion on the prominent services given by the light-keepers at Great Stirrups cay, in the salving of the cargo.

About one hour after the vessel struck, they arrived at the scene in a boat and found Captain Albury and his crew at work on the cargo. It appears that they both worked at the wreck during the day, and through the night at intervals.

On principle, I think that no light-keeper should be permitted to work at a wreck, except in cases of *extreme* necessity in the saving of *life*. If, by day, he fatigues himself by working at a wreck, he incapacitates himself for his night watch. To be absent at any time from the light-house during the lighting period, would be to jeopard much shipping constantly passing that great highway. The saving of one cargo, whatever be its value, would be nothing compared to the risks which passing ships would encounter by the dimness of the light, owing to want of that constant attention in trimming, &c., the lamps, &c., or, perhaps, in the total extinction of the light. The light on the evening of the 5th of April must have been left for some periods during the night to irresponsible hands. The assistant keeper seems to have been at the wreck all night. Even if the principal had been at his post, it was wrong for the assistant to be beyond his reach or call. Light-keepers should not be permitted to share in any salvage, in any case whatever, or, at least, without the sanction of the governor, on a statement of the special circumstances.

E. B. A. TAYLOR, *Police Magistrate.*

I concur.

JOHN PINDER, *Assessor.*

In the matter of the loss of the American schooner J. L. Gerity, stranded and abandoned at Great Stirrups cay, Bahama islands.

Copy of evidence taken on inquiry into cause and circumstances attending loss of above vessel on the 12th and 13th of April, A. D. 1865, before Edward Barnett Anderson Taylor, esquire, police magistrate for New Providence, and the Hon. John Pinder, associate, assessor.

Thomas Knapp:

I am or was the master of the American vessel called the *J. L. Gerity*, of the port of Gloucester, State of Massachusetts, in the United States of America. I left Boston on the 8th day of March last past, sea time, bound to New Orleans; started with wind north. I now produce the log-book. The wind shifted; the vessel became leaky the second day out, and we put her into New London, in the State of Connecticut. The cargo was mackerel, codfish, and potatoes, principally mackerel, and a deck load of lumber; the weather was not heavy. A carpenter surveyed the vessel; she was put on the "ways" and thoroughly overhauled at a cost of one hundred and fifty dollars; the seams were open. She was built in 1854. This is my first voyage. Her tonnage is seventy-seven and some fraction of another ton; she is fore-and aft schooner rigged. Three seamen, one mate, and one cook, and myself, in all told. The name of the owner is Humphry Cooke Knapp; he resides at Gloucester; he is a brother of mine. We left New London on the 19th of March, in prosecution of the original voyage to New Orleans. I started with a westerly wind; kept the wind twenty-four hours, when it shifted to the south; nearly calm, light winds. A strong breeze the third day sprung up. I had to cross the Gulf; about half way across the wind shifted to southwest and blew a gale, and I had to reef; had not been long reefed, double reefed, when I had my foresail and mainsail blown away; a heavy sea on; started my deck load, and she began to leak. I had no control over her; she strained in the trough of the sea and I was obliged to throw the deck load overboard to ease her. I made a "drag" with some lumber and hove her to with it. I was half way across the Gulf. I should have abandoned her if I had met a vessel. She was leaking; her chain bolts had started by reason of the rolling. I scudded three or four times to get out of the Gulf. I tried to fetch Bermuda, the wind being now west; I steered southeast, considering it would bring me to Bermuda. I could not take an observation. The third day came up, when the breeze was so strong, sea washing the deck, I could not steer a course I wished; the current sent me far east; when I got out of the difficulty I got a northeast wind; was then 500 miles from Abaco. I was trying to make for it, still intending to prosecute my voyage to New Orleans. I sighted Abaco at 3 o'clock on the morning of the 5th instant, wind still keeping northeast; six o'clock passed Abaco, shaped my course for Stirrups cay. About 8 o'clock the men in a body came to me and said they could not pump any more; the ship was not seaworthy, and they wished me to run her ashore. She could be kept free. I said if I got a good place, and could save the cargo and lives, I would put her ashore. I went on; sighted land about 9 o'clock, or between 9 and 10, on the port bow; saw no light; followed the land along, taking it to be Berry islands, until I made the light at Stirrups cay, when I made it at 11 o'clock; at 1 o'clock I saw a smooth place, a cove, apparently not much sea. I thought it best to run her ashore, the wind still fresh and strong, and I did put her ashore—light bore about northwest, distant about a quarter of a mile. This was day time. The rate we were going was about six knots. There was a heavy sea. I had to haul two or three knots to the wind in order to get to Stirrups cay. The reason I did not make for Nassau, instead of Stirrups cay, was because I considered I had passed the port and I had no sails to beat up. I never thought of Nassau. I thought I could proceed to Key West; owing to the representation of the sailors, I changed my determination, and then wished to put the vessel ashore. I never saw any of the inhabitants, or a house along shore. It never occurred to me to lay to, send a boat ashore, and get hands to keep her free and bring her to Nassau. When I put the vessel ashore the sea was heavier than I thought; there were breakers on each side of me; we were not in the breakers; made no soundings; ran her within thirty feet of the shore. I had not been there ten minutes when shore people, women and men, came on the beach; could not get aboard. Before I beached the vessel I saw a vessel bearing from me south, distant a half a mile from me, at anchor. I only saw the mast, about southwest of me. I was midway between the light-house and the vessel; I did not know what the vessel was. I was boarded by Captain Albury, who represented himself as the master of the vessel in the distance; he boarded me in ten minutes of my going ashore. I did not sound at all with any view; my object was to get the vessel up against the land to save the cargo. The schooner drew nine feet water loaded with deck load. After deck load was thrown over she was drawing about eight feet water. Captain Albury stated he was a licensed wrecker, and I placed the vessel and cargo in his hands to save. He set to work breaking open hatches; he had six men beside. Captain Albury took away six loads in his boat (kits mackerel) round to his vessel. He was two or three hours doing this. Sea became rougher, tide fell, and the boats could not come nearer; my crew did not assist in saving. The light-house keeper, Captain Moore, came down and made one trip to Captain Albury's vessel with a load of mackerel; he was prevented from getting more; his boat was stove, and made an agreement between them-

selves as to the proportion they should save. I made agreement; wrote it for Captain Moore; purport was that each should share equally. I had no part in it; it was dictated by them and they signed it. I had no gratuity or a promise of anything for this service. The cargo was then, during the remainder of the day, carried ashore and carried over theisland; shipped off through the night. I left about 8 o'clock and went to the light-house, the light-keeper's house; crew went up, slept in assistant light-keeper's house; next morning, five or six o'clock, returned to the vessel, which was broken in two; there were rocks astern and rocks ahead—a hard bottom; she bumped very hard. The cargo was all taken out except seven or eight hogsheads of fish, pollock and hake. I met two little sloops at anchor next morning; they loaded one full and the other partially with metal off the bottom of the vessel. I abandoned the vessel after remaining at Stirrups cay from Wednesday until Sunday. I left in the schooner Bob, Captain Albury, with my crew. We arrived here on Sunday at one o'clock, wind was with us; left at five o'clock in the morning. The schooner was insured against all risks. I was told so by my brother. I do not know if the cargo was insured; it was part freight; my brother had a third or half; there were three or four other shippers. I have the bills of lading. Between my making Abaco and my putting my vessel ashore I had never communicated with the shore, directly or indirectly, by signal or verbally. Captain Albury appeared to have good control over his men. There was good order maintained while saving the cargo. I noticed that when the heads of the barrels of potatoes fell out and the potatoes came out, they would not take them up, but went to something else. Captain Albury told me that it would be useless to save them after they got wet. Captain Albury wished to cut the rigging, but I remonstrated with him and said it should be lifted. He said it was usual; on my refusing to allow it to be done he lifted it. None of the wreckers appeared drunk. The ship's hatches were not open until Captain Albury arrived, who opened them by his crew.

There were twenty barrels of potatoes put on the deck, which was immediately below the hatches; these were placed on deck and placed aside, and the mackerel lying next was got at; the potatoes were saved and carried ashore. The cargo has been saved in a good condition and all brought to this port. I gave no distinct order about the cargo being brought to Nassau, but I know it was to be delivered here; none is now sold. Mr. Darling is the agent. I selected Mr. Darling as my agent on the recommendation of Mr. Jackson, agent for American underwriters. I made no agreement about salvage at Stirrups cay; left it to be settled at Nassau; none has yet been awarded; none has yet been claimed. At this present moment the actual amount to be given is unknown to me.

No portion of the salvage to be awarded has been offered to me directly; my duty is to get the smallest amount of salvage; but if the wrecker could afford to make me a present I would take it. I have had no talk with my men, nor have I promised them, either directly or indirectly, anything; their wages has not as yet been paid. I do not know in what company insurance the vessel is insured, nor to what amount. My brother is in the fishing business and owns five or six vessels of this class of the Gerity. I have four years before the war traded between Boston and New Orleans in square-rigged vessels. It is eleven years ago since I was at Nassau, New Providence; I commanded the Pontiac, which was wrecked at the Gingerbread Ground, at a time when six or seven other vessels were wrecked. I was waiting for morning to go round the Isaacs, and before it dawned I got on the rocks. It was fine weather, assorted cargo, bound to New Orleans. She was insured, so also cargo. Cargo brought to this port transshipped to New Orleans; ship was a total wreck. In small vessels like the J. L. Gerity it is not customary to have spare sails. The agreement I drew up between Captain Albury and Captain Moore was given by me to Captain Albury. The vessel could be kept free, and was kept free from water, up to the time of my putting her ashore. I know there was smooth anchorage to the northwest point near the light-house, but I did not wish to anchor and sink; I wished to save the cargo.

The assistant light-keeper I left at 8 o'clock on board, and walked with Captain Moore to the light-house; he introduced me to his family and stated that he was going back again. He left; when he returned I don't know, but when I got up in the morning he called out from his room next to mine, "Well, captain, we will go back again; we got her out last night."

THOMAS KNAPP.

The entries in log-book are made by the mate. I am not in the habit of signing these entries. I sometimes read them and approve of them. The entries are made up every twenty-four hours; log made up on the slate. Since my arrival I have read the log. I find nothing wrong in it. The name of the vessel is correctly written on the back of the log-book, J. L. Gerity. The consul keeps it. In case of wreck—the case of a return home—the owners keep it, and destroy it if nothing particular occurs in it. I look at the map now shown me and indicate the position of the vessel—southeast point of land of Great Stirrups cay; pass one bay and get in the last.

THOMAS KNAPP.

Taken on oath at Nassau, in the said island, the day and year first within mentioned.

E. B. A. TAYLOR, *Police Magistrate.*

George Poole:

I was mate of the American schooner J. L. Gerity, of the port of Gloucester, in the State of Massachusetts, United States of America; Thomas Knapp is master. We left Boston for New Orleans; had to put into New London by reason of the leaking of the vessel. I don't recollect sounding the pumps, but there were four or five hundred strokes an hour. She was caulked at New London. We were there nine days; sailed again, and when out three days we experienced severe weather in the Gulf. We shipped a sea; started the deck load of lumber; strained her; split her sails, mainsail, and foresail; she leaked about eight hundred strokes an hour; sea was high; we hove spare spars, made a "drag," and laid her to. One man was kept at the pump all the time. The captain consulted me, and thought it prudent to leave the vessel, but there being no vessel by, we had to stand by. We had this weather three days. We hove the deck-load over. We thought of going to Bermuda; steered for it, when the wind hauled us off, and we got in the trade and out of the heavy sea. Our determination was to get to Nassau. We were then five hundred miles from Abaco, wind northeast, and we shaped our course for Abaco. Reached there the fourth day of April, about eleven o'clock in the evening; made the light, going four miles an hour; had jib, flying-jib, part of the mainsail, fore-gaff topsail for a foresail. Passed the light six o'clock a. m., determination still to come to Nassau. About seven o'clock the crew came aft and said they would not pump any more. We were going six miles an hour; the vessel was kept free, but it obliged there being a man at the pump constantly. There was a good deal of talk; at last the captain said that he would put her ashore in some good place and save their lives. He had told them more than once that if he met a vessel, he would abandon her. I think the men were too exhausted to hold out much more. Captain ran along the shore for Stirrups cay. He was trying to pick up a smooth place to put her ashore. At Stirrups cay, about three-quarters of a mile from the light-house, the spot appeared sandy, but it was hard bottom—small rock. No soundings were taken; the sea was breaking over us all the time. It was one o'clock she went ashore. We had no signal of distress up. A small vessel in the distance on our quarter, southeast. Saw no person along the shore, or any houses, until we got to Stirrups cay. We kept some distance from shore, as the sea was breaking heavy on the shore. Saw the masts of a vessel at anchor by the land; she bore west-southwest. As we were passing the harbor opened, and we saw her hull. We struck within forty feet of the shore. About ten minutes after a boat came alongside with Captain Albury, and a crew came on board; spoke to the captain—not long. I did not hear what about; but Albury and his crew went to work; opened the hatches; our crew helped. They appeared orderly in their manner. The captain, Albury, appeared to have control over the men. He was speaking to them to hurry along and save the vessel before she bilged. She bilged a little after two o'clock. She was bumping heavily. The cargo was taken in from boats to the vessel lying at anchor. On account of the sea running high they had to stop. The vessel lay broadside to the beach; it made a lee and the cargo was then taken to the shore. The light-keeper, Captain Moore, came on board with his assistant in a boat. About two o'clock they went to work; got one load; carried it to the vessel in the distance, named the Bob, and in attempting to get a second load she swamped, and she was dragged back; mackerel in kits taken out of her, and she bilged. The light-keeper and his assistants then came on board and assisted in carrying the cargo to the shore. Captain Moore carried Captain Knapp, myself, and crew to the light-house; left us there; went back to the wreck, off and on, in the night. I slept in the assistant light-keeper's house. He was working at the wreck; he was all night there. Albury had about twenty men crew. All the cargo was saved except that staved in by the sea. The wreckers saved in the order in which the cargo was stowed. Mackerel was immediately under the hatches. Next morning by day I went—sunrise. I had been there twice at night; walked. The cargo was taken across the land to the boats, and thence conveyed on board of the Bob. Left Stirrups cay last Sunday morning; arrived at Nassau same day. I saw an agreement written by Captain Knapp. It was between Captain Albury and Captain Moore about the cargo; don't know what it was about—the particulars. I don't expect to receive any portion of the salvage on cargo saved. None has been promised to me, either directly or indirectly. I don't know whether the captain expects to share in any salvage. I agreed with the captain as to the necessity of putting the vessel ashore. The vessel was kept free of water. When we reefed the water would gain, but when we rigged the second pump we could always recover—pick her up again. Had the crew not denied duty we might have reached Nassau, probably New Orleans; but they told the captain they had a right to refuse. If we had gone in the Gulf and had bad weather, she probably would have sunk down. This is my first voyage in the vessel. I do not know whether she has been insured or not, or cargo. This is the first time I have sailed with this captain. I have been the master of fore-and-aft vessels, and sailed through these waters. Never here before. I looked at the chart when I passed Abaco; wind was northeast. I could not find time to consult the chart on passing Abaco to know that it was just as easy to make Nassau as where we put the vessel ashore, considering the direction of the wind and the distance being almost nearly equal. On sighting the light of Abaco it bore southwest. It was a clear night, and I calculated the distance to be about sixteen miles. There were two watches; four-hour watches. The pumping was in watches, two hours between each rest. I pumped my two hours as much as the rest. The steward took his spell; the captain also. The pumping was about one hundred

strokes at a time; the man would then have a breathing spell and pump again. We went ashore on the sandy beach on the southeast side of the island, between two small points of land. We had no gun on board to signal to any one. At the time the crew came aft and stated their determination not to pump the vessel, the light-house was bearing northeast, and we were heading for Nassau.

GEORGE POOLE.

Taken on oath at Nassau, in the said island, the day and year first within written, before me.

E. B. A. TAYLOR,
Police Magistrate.

Donald McLean sworn:

I was seaman on board the American schooner J. L. Gerity; I shipped at Gloucester and went to Boston, and we were to sail for New Orleans. Wages at forty dollars. I am a native of British America, Cape Breton island. Experienced bad weather and put into New London, and repaired; she leaked badly. Left New London; experienced again bad weather in the Gulf Stream; it strained the vessel, tore sails, foresail and mainsail; the deck-load of lumber helped to strain her. We had this weather for eight or ten days. We went east; drifted down; caught a northeast wind; brought us to Abaco light; made it between three and four o'clock in the morning. I was below; my watch was below; on coming on deck at four, saw light; passed it at sunrise, going about five knots an hour; had all our sails set; a good breeze, and considerable sea. The vessel was leaky; she kept free by our exertion. I pumped every hour, and when bad, every half hour. I was exhausted and fatigued, and I thought as there was a chance to save our lives, I need not pump. I made no representation to the captain about our safety. It was when we were nearly at Stirrups cay, about one o'clock, that I, for one, said I did not feel inclined to pump any longer, and I wished a chance of saving my life. Captain said, I can't tell you to pump if you don't feel inclined to. I must put her ashore and save what we can from the vessel. I should have liked to have left the vessel before we got land, had we seen a chance. Met another vessel; we made no signal of distress, either by flag or by gun; had no gun on board; saw no persons on shore either way; no one had boarded us. Saw a vessel at anchor some distance off of the land; as we went beyond a point of land saw her hull. A boat came to our vessel after we got ashore. There were breakers where we went ashore; sea made a break over her; appeared to be a rocky and sandy bottom; she bilged during the night. It was 7 o'clock when I went ashore; a vessel's boat, "Bob," came 20 minutes after we struck; some few words were exchanged between our captain and the captain of the wrecker; can't hear what was said. Captain of wrecker took charge; he appeared to have full command of the crew. I saw none of the cargo wilfully cast aside. I was not present when hatches were opened. I saw no drunkenness. Cargo was saved, with exception of some kits of mackerel accidentally stoved; I think they were saved. Light-house keeper and assistant came in a boat, and helped to save the cargo. I slept with crew at light-house; ship's stores were carried up for our consumption; I saw nothing of the cargo opened at the light-house and used. I have had no promise made to pay me; the captain told me our time is up when the vessel went ashore. I expect to get nothing from the wreckers of any portion of their salvage. The vessel was in a dangerous state; had the wind shifted, and we been at sea, she must have gone. I have never been in these waters before; never before sailed with Captain Knapp.

DONALD McLEAN.

Taken on oath at Nassau, in the said island, the day and year first within written.
E. B. A. TAYLOR, *Police Magistrate.*

Horatio C. Gray sworn:

I was a seaman on board of the J. L. Gerity. I shipped at New London on the fifteenth day of March. I left on the nineteenth of the month, bound for New Orleans; we shipped to go to New Orleans, from there to certain islands for a load of fruit, and back again to New York. We started with north-northwest wind; not far from it, two days' moderate calm. Tuesday morning got to the northern edge of the Gulf, wind southward and blowing fresh all day; continued blowing to a gale of wind; our sails began to split, and we sprung a leak; had a deck load of lumber, and threw it overboard; she leaked badly. We pumped every half hour, and oftener, ten minutes. Sea ran very high; got in smooth weather when we got to the southward of Bermuda; vessel did not leak so much; could manage the leak by a great deal of exertion every four hours; I pumped eight times, some five to ten minutes, then stand and rest. I was in the mate's watch, and made Abaco light between twelve and four o'clock. I forget what time I was at the helm; can't say who had the trick first; the mate was at the masthead, the captain was below; came up on deck when we heard the light was made. The light was on our lee bow; we jibed the schooner and brought the light on our starboard bow. All hands on deck; I went below and came up again at half past six or seven o'clock; light was forward of the star-

board quarter; we were going about three to five knots an hour. I met one of the other watch pumping; I took a spell every half hour. We sailors had told him at sea that we were tired of pumping; I told him that morning after I came on deck, between eight and nine o'clock. I told the captain, with the rest of the crew, that we wished him to do his best to get us somewhere that we could get clear of the vessel. I don't recollect how the light-house bore, but we were about five or six miles from the light-house. Captain said he would do the best he could; we never proposed anything; he said at sea that if he had a good chance he would abandon her at sea; we thought he was doing the best thing for us. I don't know how the courses were made; the next land made was on port bow; ran down the land; after a while, somewhere between eleven o'clock and three o'clock, the captain put the vessel ashore; breakers were running; she was put close up to the land on a rocky and sandy bottom; we had not been boarded, nor had signalled before this to any one on shore. As we opened two points of land I saw a vessel fore-and-aft at anchor. After we got ashore a boat came from the vessel, the "Bob," Captain Albury, came with his crew; I was forward at the time; captain of wrecker went to work in a few minutes after he came on board. I assisted to open the hatches; by the appearance of captain of wrecker, he took charge of things, saving of cargo. I could see nothing disorderly about the crew. I did not assist in saving the cargo; in the night we went ashore, and was near the wreck next day. Cargo was all saved; some was wasted; could not be helped. The vessel bilged in the night. I saw it the next morning. I left her lying quartering; in the morning she was lying broadside the shore. I have not been promised anything, nor do I expect to get anything beyond my wages. I was sick after I arrived here, from the work of pumping. I never asked the mate or captain where are we going to; we knew the captain was going to some smooth water. Captain was talking about putting the vessel ashore at Abaco, but he said it was an iron-bound coast, and he could not save his cargo if she was put there. We were getting wages, forty dollars a month. I am a native of New Bedford, in the State of Massachusetts, aged thirty-four years.

HORATIO A. GRAY.

Taken on oath at Nassau, in the said island, the day and year first within written, before me.

E. B. A. TAYLOR, *Police Magistrate.*

Joseph William Albury sworn:

I am the master of the wrecking license schooner Bob. I was on the 5th of this month (April) lying at Great harbor, Stirrups cay. I came to an anchor the evening before, between ten and eleven o'clock; came from Harbor island On the 5th I saw a schooner, between twelve and one o'clock, inside of the point of Great Stirrups cay; had sail on; she appeared in distress from the sails she had on her. Not more than three minutes after I saw her she struck; there were breakers outside of her. I out boat and put in eight hands, and started for her; reached her; sea was breaking against her and washing her deck. I boarded her on the lee side; saw the captain; stated I was a licensed wrecker; asked him first if he wanted my assistance; said yes. He said his vessel was leaking bad. I said, "Well, I will save it and take it to Nassau." He said very well. He gave me charge of saving the cargo, the salvage to be settled here at Nassau. I opened the hatch, my crew and his men. I moved the potatoes aside on deck, and got to the kits of mackerel and half barrels, which were saved in boats, and had to stop by occasion of the sea being high. I had to lighter the cargo by a strong boat to the shore. The light-keeper came and assisted; said he was willing to come in. I let him in clear of 800 kits of mackerel, and he paying freight of that which he assisted in saving. This agreement was reduced to writing, and captain signed it, and I agreed to it and signed it, and Captain Moore signed it also. We saved all the cargo; a sloop was there; she took some. Everything was saved, cargo and materials. I had never seen Captain Knapp before. Cargo is not all out. We arrived here on Sunday; salvage not settled. Before dark light-keeper excused himself; said he had to attend to the light, and I never saw him after. It is a fixed light. The potatoes which were put aside at first were staved; kits of mackerel staved; the sea would take the boat, and as she would pull up, the men would be taken off their legs and a kit of mackerel would fall out of their hands and stave. The wind was northeast; the vessel bilged, I said to the captain the vessel leaks; at night I said this; next morning she was really bilged. When the vessel struck she was bearing about northeast of me; the light-house was about the north of me. A few loose potatoes were left behind.

J. W. ALBURY.

Taken on oath at Nassau, in the said island, the day and year first within written.

E. B. A. TAYLOR, *Police Magistrate.*

William Parsons sworn:

I shipped on board of the J. L. Gerity at Gloucester, in the State of Massachusetts, United States of America. I am a Swede. We shipped 19th February; went to Boston for a cargo; got it and sailed for New Orleans; she was leaky next day after sailing. I was steward. She leaked that bad that I had to pump her, and the captain also; about

two hundred strokes an hour she leaked. We put into New London, State of Connecticut; she was caulked; start again for New Orleans; we had a heavy gale in the Gulf two days after. Have deck load of lumber; the sea high; the vessel leaked badly, worked herself, the seams opened, the water came clear out of the pumps. Captain and mate said the seam aft was open. The men had to pump, watch and watch; two hours at the pump for each man; had resting spells of two or three minutes. I pumped occasionally. I could not cook for three days in the Gulf; this weather lasted five days. Gale sprung up southwest, shifted to the northwest. Captain said he would make the first land. At the time of the gale we were at the eastward of Bermuda; got in moderate weather. Lost sails, mainsail and foresail, in Gulf; sails were good enough, I thought. We hove her to during the gale by a "drag." We shaped our course for Hole-in-the-Wall. On the fourth day of April, about twelve o'clock at night, made Abaco light; wind aft, going at the rate of six knots, a heavy sea on. The light was just put out as we passed the Abaco light-house; I can't say if the course was shifted. The water was coming up to the cabin floor; one day, preparing dinner, the water was over it from below. Before arriving at Abaco light, the men told the captain that they were played out, could not pump any more, was in danger of our lives. The captain said, "Yes, the first land I make I will put her ashore; I am obliged to do so." The wind was northeast, I believe. On passing the light the captain said, "We have thirty miles for Stirrups cay, that is the best place." The seamen never came in a body and make any further representation about it; left it to him. We sailed on, and made land on port bow. We saw a vessel lying at anchor, over the land, and then we saw her hull, and a few minutes after the captain selected a spot and put her ashore near the land; the flying jibboom over the bushes. She jumped twice hard after she struck bottom; was sandy, no soundings were taken. A boat came from the vessel at anchor and boarded us; asked our captain if he wished assistance; said yes. And he said, "I have eighteen men." Captain said, "Very well, my men are too tired to work." They then set to open main hatch, loaded the boats, and saved cargo, mackerel, potatoes. Sea swung her stern ashore; nothing could be saved by boats; rest put ashore on beach. Two light-keepers came on board of us in a boat one hour after we struck; they remained all day and night at work. I left the wreck about seven o'clock and went to the light-house; came back at ten o'clock, met the two light-keepers; I staid until twelve o'clock, leaving the assistant down there. Next morning went there at six o'clock, the assistant was still there. All the cargo was saved. During the whole time, while we ran from the Abaco light-house to the time we ran on shore, never communicated or signalled to the shore or any vessel; never saw any one on the shore, running down, as we were off shore—two or three miles off. The wreckers were orderly, seemed to be under the control of the master, Albury; they saved the cargo as fast as they could. The sea broke over the vessel. I have not received my wages yet. I do not expect to receive anything beyond my wages; nor have I been promised anything by the master or wreckers. I have never been to this port before. Never sailed with this master (Knapp) before; have sailed in other schooners belonging to the same owner. I do not know if the vessel was insured. The owner, H. C. Knapp, lives in Boston, but does his business in Gloucester, distant about thirty miles; takes the cars daily; engaged extensively in the fishing business. I have been at sea since I was eleven years of age, as second mate, cook, and steward, different capacities.

WILLIAM PARSONS.

Taken on oath at Nassau, in the said island, the day and year first within written, before me.

E. B. A. TAYLOR, *Police Magistrate.*

William Wallace Coterell sworn:

I was a seaman on board of the late American vessel J. L. Gerity. I am a native of State of Maine, Belfast. I shipped at Boston, United States of America, bound to New Orleans. We left, and springing a leak two or three days after, put into New London, in the State of Connecticut. She was caulked; I saw her put on the "ways;" her bottom was coppered; she was caulked; remained a week; sailed again for New Orleans. Two days after, while in the Gulf, wind sprung up southwest; it blew a gale, sea high; foresail and mainsail blew away, leaving three reefs; threw over deck load of lumber; shipped seas; was forced and strained. She then leaked 800 strokes on one tack, and 1,600 strokes another; laid her to a "drag." Every half hour had to pump; about four days heavy weather; managed to keep her up; all hands pump. When we got out of the Gulf had moderate weather; ship leaked about as much as usual. In a week we reached Abaco light. I was in mate's watch; about four o'clock I returned to the watch, saw the light on starboard bow; passed the light-house at eight o'clock; wind aft, sea high; going seven or eight knots an hour. I went below and did not come up until four. Before we made Abaco, a day or two before, I told the captain I was tired; all of us said so. Captain said he would leave her the first vessel he came across, or put her ashore. After passing the light-house on the morning we did not again say anything. I never knew where I was going; never heard the captain say anything about Stirrups cay. I think it was west by south I was steering. I did not know where we were going. The pump was working from about twenty minutes past two.

The captain put the vessel ashore; he looked ahead and said, "I will put her on there." Struck and jumped; went close in shore; the sea hove us in. On going down, before we struck, no one boarded us. Never made any signal to the shore. The wreckers came aboard soon after we struck; don't know what took place between our captain and the captain of wreckers. I saw no drunkenness. Captain seemed to command them. The light-keepers (two) came in a boat; they assisted—saved some cargo; both staid at the wreck. I slept at the light-keeper's house. Next morning, about seven or eight o'clock, found her bilged. I had left at seven o'clock in the evening; she was then bilged. I think we went ashore about a half mile from the light house; it was in a bend round the point. I don't expect to get anything beyond my wages; I shall be satisfied to get them. I have had no promise from the master of the wreckers, or my own captain, to give me money or anything else. I have never served under the same captain before, or been in this ship before. I have never been wrecked before on these shores. Have gone through the islands from Boston to New Orleans. We would have, and could, I think, have worked longer, if we had known we were only forty-odd miles from the port of Nassau, or we could have reached that port by the evening of that day. I had sucked the vessel out just before she was put on shore. The vessel, I think, was an old vessel.

WM. W. COTTEREL.

Taken on oath at Nassau, in the said island, the day and year first within written, before me.

E. B. A. TAYLOR, *Police Magistrate.*

I certify the foregoing to be true copies of examinations taken in above case.

E. B. A. TAYLOR, *Police Magistrate.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 16, 1865.

SIR: I am instructed to forward the enclosed letter,* addressed by her Majesty the Queen to the honorable Mrs. Lincoln, and I shall feel obliged if you will cause it to be delivered to that lady without delay.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 16, 1865.

SIR: I have the honor to acknowledge the receipt of your note of this date, and of the letter addressed by her Majesty the Queen to the honorable Mrs. Lincoln, enclosed therein, and to inform you that, in compliance with your request, it has been delivered to Mrs. Lincoln.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 17, 1865.

SIR: At the request of the mayor of Liverpool, England, I have the honor to transmit to you letters addressed to Mrs. Lincoln and Mrs. Seward, containing copies of a resolution which was passed at a public meeting of the inhabitants of

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* Transmitted to Mrs. Lincoln.

the borough of Liverpool, on receipt of the news of the assassination of the President of the United States, and of the attempts on the lives of the honorable William H. Seward and Mr. Frederick Seward.

I beg you to be so good as to cause these letters to be conveyed to their respective destinations.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

[For enclosures see Appendix, separate volume.]

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 17, 1865.

SIR: With reference to Mr. Seward's note of the 7th of April, relative to the case of E. W. Pratt and Robert Green, late of the city of Richmond, now imprisoned in New York, I have the honor to inquire whether any answer has been received at the State Department to the letter which Mr. Seward addressed to the United States consul at Nassau, in regard to the indorsements alleged to have been made by him upon the discharge papers of these men.

I have likewise the honor to enclose a certified copy of the shipping articles of the "City of Richmond," showing the nature of the voyage for which Mr. Pratt engaged.

These two men have now been in prison for about two months, and I should be very glad to learn that they may be set at liberty on condition of immediately leaving this country and prosecuting their voyage to England.

Requesting you to return the shipping articles to me, I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 17, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 16th instant, and its accompaniments, relative to the case of the J. L. Gerity, and to beg that you will cause to be conveyed to the governor of the Bahamas my thanks for these documents, which I shall take pleasure in forwarding to the persons indicated.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 18, 1865.

SIR: I have the honor to transmit to you a copy of a despatch from his excellency the lieutenant governor of New Brunswick, enclosing extracts from

the speech with which his excellency lately opened the session of the provincial legislature, and from the addresses received in reply from the legislative council and house of assembly.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

FREDERICTON, *May* 11, 1865.

SIR: I have the honor to transmit to you copies of a paragraph from the speech with which I lately opened the session of the provincial legislature, and of the corresponding paragraphs of the addresses which I have received in reply from the legislative council and house of assembly.

Should you consider it right so to do, I should feel much gratified were you to convey to the United States government the assurance (though an almost needless one) that deep sympathy and profound indignation have been universally excited in this province by the atrocious act recently perpetrated at Washington.

ARTHUR H. GORDON.

Hon. SIR F. BRUCE, *&c., &c., &c.*

[Extract from speech.]

The civil war which has so long raged in the neighboring republic appears to be drawing towards a close. The restoration of peace will no doubt be hailed by you with a lively satisfaction, both as putting an end to the further effusion of blood, and as re-opening to commerce channels which have since the commencement of the war been closed.

[Extract from address in reply to the speech.]

The prospect of a speedy restoration of peace in the neighboring republic is hailed with satisfaction by the people of this province. We assure your excellency that the assassination of the President has excited feelings of profound indignation throughout this province, and our sympathies are enlisted on behalf of that great and kindred people.

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 18, 1865.

SIR: I have the honor to transmit to you copies of a despatch, and of its enclosures, which I have received from her Majesty's consul at Boston, relative to a tax of thirty cents a ton which is being levied upon British vessels at the ports within his consulate, the measurement being, as it appears, taken under the old system, whereby the British register tonnage is increased nearly one-third.

I beg that you will have the goodness to submit these documents to the proper authorities, and I trust that, in accordance with the suggestion of her Majesty's consul, the additional tax which appears to have been unduly levied upon British vessels since the 1st April may be remitted, and that, in future, the tax in question will be assessed upon the tonnage borne upon the registers of the British vessels.

I have the honor to be, with high consideration, sir, your most obedient humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Mr. Lousada to Sir F. Bruce.

HER BRITANNIC MAJESTY'S CONSULATE,
Boston, May 9, 1865.

SIR: I beg to bring to your notice, with a view to obtain redress, the practice of the United States custom-house at the ports within this consulate with regard to the taxes imposed on British vessels; a tax being levied of thirty cents a ton, and the measurement being taken under the old system, whereby the British registrar tonnage is increased nearly one-third, causing the greatest dissatisfaction.

The enclosed correspondence with the collector at this port will explain the matter more fully; and as the "tort" is persisted in, to the cost and detriment of our shipping, I now report it, in order that it may be brought more authoritatively to the notice of the authorities at Washington, should you think proper.

I have, &c.,

F. LOUSADA,
Her Britannic Majesty's Consul.

Hon. SIR FREDERICK BRUCE, G. C. B., *&c., &c., &c.*

Mr. Lousada to Mr. Goodrich.

HER MAJESTY'S CONSULATE,
Boston, April 22, 1865.

SIR: I beg to submit to you that the several British vessels which have entered at this port since the 1st of April have been forced to pay thirty cents per ton duty, calculated on the old American system of tonnage, which, as you are aware, increases the number of tons by about twenty-five per cent.

Application was made on the subject to Washington, and the assistant treasurer, under date of January 20, 1865, replied that—

"1. The tonnage tax of ten cents a ton (now raised to thirty cents) attaches, on entry of the vessel, upon the tonnage expressed on the document under which she enters, and not upon any tonnage which may be subsequently ascertained.

"2. In this respect foreign vessels differ in nowise from American. The tax is to be assessed upon the tonnage borne upon their registers."

I trust, sir, if upon reference you find this opinion to be maintained, that you will consider it just and proper to remit the additional tax, unduly levied, upon British vessels which may have entered subsequently to the promulgation of the law.

I have, &c.,

FRANCIS LOUSADA,
Her Britanic Majesty's Consul.

Hon. J. Z. GOODRICH.

Mr. Lousada to Mr. Goodrich.

Private.] HER BRITANNIC MAJESTY'S CONSULATE,
Boston, May 4, 1865.

DEAR SIR: May I shortly expect an answer to my despatch to you of the 22d ultimo, relative to the measurement of British vessels?

I am, &c.,

F. LOUSADA,
Her Britannic Majesty's Consul.

Hon. J. Z. GOODRICH.

Mr. Goodrich to Mr. Lousada.

CUSTOM HOUSE, COLLECTOR'S OFFICE,
Boston, May 4, 1865.

SIR: In reply to your letter of this date I beg leave to state, that no instructions from the department have as yet been received at this office, covering your inquiry.

On receipt of same, will communicate with you.

I am, &c., &c.,

J. Z. GOODRICH, *Collector.*

F. LOUSADA, Esq.,
Her Britannic Majesty's Consul, Boston.

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 19, 1865.

SIR: In accordance with instructions which I have received from her Majesty's principal secretary of state for foreign affairs, I have the honor to transmit to you a resolution relative to the assassination of President Lincoln, which was unanimously adopted at a meeting of the inhabitants of the borough of Sheffield, Yorkshire, held on the 1st instant.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

[For the resolution above referred to see Appendix, separate volume.]

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 19, 1865.

SIR: Her Majesty's principal secretary of state for foreign affairs has forwarded to me a copy of a letter which he has received from Mr. J. Howe, stating that, when the fishery commission met last January in Boston, Mr. Hamlin and he arranged the work so as to enable them by March, 1866, (in the event of the termination of the reciprocity treaty at that time,) to finish whatever was in progress, without embarrassment to either government.

Mr. Howe states that he had no doubt that they would be able to do this.

He then quotes a letter which he has received from Mr. Hamlin, who writes as follows, on the 11th March:

"I returned from Washington a short time since. I found that certain persons made representations to the State Department in relation to the delay of the commissioners under the reciprocity treaty in not finishing the work. In an interview with the department this was explained, and I think the department was satisfied."

Mr. Howe concluded by declaring that there is no fair foundation for the imputation, if such there has been, that there has been unnecessary delay in forwarding the business of the commission; that his movements to the north have been controlled by the short seasons and by the co-operation of the admiral in command, and to the south by the disturbed state of the country in the near neighborhood of some of the rivers to be examined; that the southern coast will now be open, and that Sir James Hope has promised to enable him early in the summer to complete the examination of the coasts of Newfoundland.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 19, 1865.

SIR: I have the honor to transmit to you the following documents, which have been called forth by the recent assassination of President Lincoln and the attempts to take the lives of the Hon. William H. Seward and Mr. F. W. Seward:

1. Address from the ministers composing the Niagara annual conference of the Methodist Episcopal church in Canada; forwarded by the governor general of Canada.

2. A copy of a despatch from the governor of the Bahamas, forwarding resolutions of the legislative council and house of assembly of the colony, and a copy of the governor's message to the two houses.

3. A letter and a minute of resolutions from the council of the borough of Liverpool, England, for Mrs. Lincoln; forwarded by the mayor of Liverpool.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

[For enclosures see Appendix, separate volume.]

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 19, 1865.

SIR: Her Majesty's consul at New York has brought to my notice an alleged project which has been set on foot in Brooklyn, New York, for an expedition to annex Canada and Mexico to the United States.

An advertisement having been inserted in the Brooklyn Eagle relative to this project, an Englishman in New York city addressed a note of inquiry to Mr. Gibbons, the person whose name appears at the foot of the advertisement, and I have the honor to enclose copies of the correspondence which has passed between Mr. Gibbons and the Englishman, under the signature X. Y., and also of an advertisement in the Brooklyn Daily Union.

I beg to call the serious attention of the United States government to this scheme, which would seem to be set on foot with a view to disturb the pacific relations existing between Great Britain and the United States, and to express my conviction that the United States government will lose no time in taking steps to stop this audacious proceeding, and enforce the law against the parties concerned in it.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

[Enclosure.]

Mr. Archibald to Sir F. Bruce.

X. Y. to Mr. Gibbons.

BROOKLYN, *May* 8, 1865.

"The writer would be glad to learn what is contemplated in the matter referred to by advertisement in the 'Brooklyn Eagle' of this date, and subscribed 'Geo. W. Gibbons.'

"Any communications intended for the writer may be addressed X. Y. box 75, Brooklyn post office."

[Enclosure.]

Mr. Gibbons to X. Y.

NEW YORK, *May* 10, 1865.

"Your note of the 8th instant received, and, in answer, would say that it is my intention of raising at least 3,000 men out of this county to co-operate with a larger body, either to invade Mexico or British America. If we can gain the consent of the President of the United States to this enterprise we will do so. If not, we will go anyhow.

"Respectfully,

"GEO. W. GIBBONS,
"*Box 44, Brooklyn Post Office.*"

NOTE.—The reply is enclosed in an envelope with the stamp of R. H. Gibbons & Co., real estate agency, 446 Broome street, New York, and postmarked New York.

E. M. A.

[Enclosure.]

X. Y. *to Mr. Gibbons.*

"MAY 13, 1865.

"SIR; Yours of the 10th instant received. With respect to the business mentioned therein, I should be glad to learn what are the steps to be taken to connect myself with the enterprise you mention. I should be glad to know if the ultimate destination of the force you intend to raise is really decided upon, as I have my own preference in the matter, but anyhow desire a little more active occupation than I have at present.

"Please address as before, X. Y., box 75, Brooklyn post office.

"G. W. GIBBONS."

[Enclosure.]

[From Brooklyn Daily Union, May 8, 1865.]

"*Annexation of Mexico and British America to the United States.*

"All in favor of this project, and those wishing to interest themselves in this matter, will please address Geo. W. Gibbons, box 44, Brooklyn post office."

[Enclosure.]

Mr. Gibbons to X. Y.

"NEW YORK, *May* 16, 1865.

"DEAR SIR: Yours of the 13th received, and, in answer, would say that it is the intention of the party to which I am the leader *pro tem.* to declare war against Great Britain by invading the Canadas. I have 3,000 men now enlisted.

"Respectfully,

GEO. W. GIBBONS,
"*Box* 44, *Brooklyn Post Office.*"

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 19, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 18th instant, transmitting a copy of a despatch from his excellency the lieutenant governor of New Brunswick, enclosing extracts from the speech with which he lately opened the session of the provincial legislature, and from the addresses received in reply from the legislative council and house of assembly in regard to the restoration of peace in this country, and to the assassination of President Lincoln.

I have the honor to assure you, in reply, and to request you so to inform his excellency the lieutenant governor, that the expressions of good will and sympathy contained in these papers are highly appreciated by the government and people of the United States.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 20, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 17th instant, transmitting, at the request of the mayor of Liverpool, England, letters

addressed to Mrs. Lincoln and Mrs. Seward, containing copies of a resolution which was passed at a public meeting of the citizens of the borough of Liverpool on receipt of the news of the assassination of the late President of the United States, and of the attempts on the lives of the honorable William H. Seward and Mr. Frederick Seward.

In reply, I have the honor to state that the letters have been forwarded to their respective destinations.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 20, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch, containing information from unofficial sources on the proceedings of the ram Stonewall, and on the course said to have been adopted with respect to a schooner captured by the insurgents and carried to one of the British islands, of which the name is not given. The despatch further repeats the substance of the proclamation issued by the President on the 10th of May, and expresses a hope that I may feel myself authorized to instruct or request the officers of her Majesty's colonies adjacent to the United States to refuse to receive vessels flying the flag of the insurgents.

I submitted the above despatch, as previously the President's proclamation, by the first opportunity, to the consideration of her Majesty's government.

With reference to the power lodged in the governors of her Majesty's colonies to close a port against a vessel bearing a particular flag, I wish to observe that though a certain discretion may be vested in a governor in dealing with a purely colonial question, the case assumes a very different aspect where the question is one of international rights, the solution of which rests within the power of the imperial government alone, and in which he acts under positive instructions.

In the position I occupy I can only submit to him the view of the government of the United States, with such information as may enable the governor to form an accurate opinion of the condition of affairs in this country.

This I have done to the governor of the Bahamas, and without presuming to express what course, under his instructions, the governor may consider himself at liberty to pursue, I feel convinced that within the limits of his power Governor Rawson will act in the spirit which is prescribed by the duties of good neighborhood, and by an earnest desire to afford no just cause of complaint to the government of a friendly nation.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 25, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 19th instant, and its accompaniments, communicating to me the intelligence of an expedition reported to be organizing in Brooklyn and New York, for the pur-

pose of annexing Canada and Mexico to the United States, and to inform you that I have transmitted a copy thereof to the Attorney General, whose early attention has been invited to the matter.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 26, 1865.

SIR: I will be very much obliged by your having the genuineness of my signature on the certificate appended to the enclosed papers relating to the Chesapeake case duly authenticated under the seal of your legation, and the papers returned to this department at your earliest convenience.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 26, 1865.

Sir F. Bruce presents his compliments to Mr. Hunter, and begs to return to him the documents relative to the Chesapeake, which were enclosed in Mr. Hunter's note of this day's date; the signature of Mr. Hunter having been duly certified by Sir F. Bruce.

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 27, 1865.

SIR: I have the honor to transmit to you a copy of a resolution* which has been forwarded to me from the Grand Lodge of Freemasons of Ireland, and which was passed at their last monthly meeting, with reference to the recent assassination of President Lincoln.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 27, 1865.

SIR: I have the honor to invite your attention to the enclosed copy of a despatch of the 9th instant from William T. Minor, esquire, the consul general

* See Appendix, separate volume.

of the United States at Havana, relative to a suspected slave-trading enterprise in which the Margarita Quintero, Elornea master, is suspected of being about to engage. I have put the United States attorney at New York upon his guard, with a view to proper proceedings should the vessel touch at New York, and the Secretary of the Navy has also been placed in possession of the facts given in the despatch.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, &c., &c., &c.

Mr. Minor to Mr. Hunter.

CONSULATE GENERAL OF THE UNITED STATES OF AMERICA,
Havana, May 9, 1865.

SIR: A steamer under Mexican colors, and named Margarita Quintero, Elornea master, arrived at Matanzas, from Vera Cruz, on the 29th ultimo, and sailed again on the 1st instant. I am informed that she is the property of Don Julian Zulueta and Captain Eugenio Vinas, both notorious slave traders, and was fitted out at Vera Cruz for the African traffic in slaves. She came to Matanzas for orders, bringing on board Don Teburcio Audia, a partner of Zulueta, being cleared for New York, but some doubts are entertained that she has gone to New York. Audia will be the supercargo on the African voyage. It is possible, however, that she has actually visited New York to complete her outfit. Bonds were given at the custom-house in Vera Cruz.

The above information has been obtained from a source which I consider reliable. Unfortunately it was communicated to me only last evening.

I have the honor to be, sir, with much respect, your obedient servant,

WILLIAM T. MINOR,
Consul General.

Hon. WILLIAM HUNTER,
Acting Secretary of State, Washington.

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 29, 1865.

MY DEAR SIR FREDERICK: I find, on turning to our files, that on the 22d instant instructions were addressed to Mr. Adams, in which he was requested to impart to Earl Russell the sense entertained by the government and people of the United States of the manifestations of sympathy and condolence conveyed to us in the despatches addressed by Earl Russell to you on the 28th of April and 6th instant, respectively.

Believe me to be, my dear sir, very faithfully yours,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, &c., &c., &c.

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, May 29, 1865.

SIR: Referring to your communication of the 19th instant, relating to a scheme supposed to be on foot in Brooklyn, N. Y., to annex Canada and Mexico to the United States, I have now the honor to enclose a copy of a communication of this date, on the subject, from the Attorney General's office.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, &c., &c., &c.

Mr. Ashton to Mr. Hunter.

ATTORNEY GENERAL'S OFFICE,
Washington, May 29, 1865

SIR: I have the honor to enclose you herewith a copy of a letter addressed under the instruction of the attorney general to the United States attorney for the eastern district of New York, relative to the subject-matter of the communication of Sir Frederick Bruce to your department, dated the 19th instant.

Very respectfully, your obedient servant,

J. HUBLEY ASHTON,
Assistant Attorney General.

Hon. W. HUNTER, *Acting Secretary of State.*

Mr. Ashton to Mr. Silliman.

ATTORNEY GENERAL'S OFFICE,
Washington, May 29, 1865.

SIR: I transmit you herewith a copy of a letter from Sir Frederick Bruce to the Acting Secretary of State, and by him referred to this office, giving certain information tending perhaps to show, in the language of the British minister, "an alleged project which has been set on foot in Brooklyn, New York, to annex Canada and Mexico to the United States."

This information may lead you to make further inquiry on the subject of the supposed organization; and should you find that any parties within your district have brought or may bring themselves within the provisions of the statutes of the United States for the preservation of our neutrality, the attorney general confidently expects that you will institute against them prosecutions under these statutes.

You will please communicate the contents of this letter and the enclosures to the marshal of your district, and if necessary also to the attorney of the United States for the southern district of New York.

Very respectfully, your obedient servant,

J. HUBLEY ASHTON,
Assistant Attorney General.

B. D. SILLIMAN, Esq.,
United States Attorney, Brooklyn.

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *May* 29, 1865.

SIR: I have the honor to transmit to you a copy of a despatch which I have received from the governor of Newfoundland, enclosing a resolution of the executive council of that colony with reference to the assassination of President Lincoln.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Governor Grave to Sir F. Bruce.

GOVERNMENT HOUSE,
Newfoundland, May 15, 1865.

SIR: The intimate commercial intercourse and cordial relations which have existed between this colony and the people of the United States have caused the intelligence of the assassination of President Lincoln to be received with deep concern and indignation by the community, and a very general desire has been manifested to convey the expression of their sympathy on this lamentable occasion to the government of the United States.

As the colonial legislature is not at this time in session, the executive council have, there-

fore, requested me to forward to you the enclosed resolution,* which I shall be obliged to you to communicate to the government of the United States if you should see no objection to this course.

I have, &c., &c.,

A. M. GRAVE, *Governor.*

Hon. Sir F. Bruce, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

Department of State,
Washington, May 30, 1865.

Sir: I have the honor to acknowledge the receipt of your note of the 19th instant, informing me, at the instance of Earl Russell, that the labors of the fishery commission would probably be completed by the 1st of March, 1866, the time of the termination of the reciprocity treaty, and that the climate and circumstances have heretofore prevented the commissioners from prosecuting the work with that despatch which they would have desired. In reply, I have the honor to inform you that the department is aware of the difficulties which have existed, and it feels assured, by the statement of Mr. Howe, that he will employ every opportunity to accomplish the end for which the commission was organized.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. Sir Frederick W. A. Bruce, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

Department of State,
Washington, May 31, 1865.

Sir: I have the honor to acknowledge the receipt of your note of the 19th instant, which is accompanied by the following documents, originating upon the assassination of President Lincoln, and the attempt upon the lives of the Hon. William H. Seward and Mr. Frederick W. Seward:

1. Address from the ministers comprising the annual conference of the Methodist Episcopal church in Canada; transmitted by the governor general of Canada.

2. A copy of a despatch from the governor of the Bahamas, forwarding resolutions of the legislative council and house of assembly of the colony, with a copy of the governor's message to both houses.

3. A letter and minute of resolutions from the council of the borough of Liverpool, England, presented by the mayor of that city.

I shall, with much satisfaction, cause these resolutions, so expressive of the sympathy and regard of her Majesty's subjects, to be forwarded to their respective destinations, and I must avail myself of your kind intervention for the conveyance to the honored sources from which they respectively came the grateful acknowledgments of this government.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. Sir Frederick W. A. Bruce, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

Department of State,
Washington, May 31, 1865.

Sir: I have to acknowledge the receipt of your note of the 19th instant, transmitting a resolution which was adopted at a meeting of the inhabitants of

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* See Appendix, separate volume.

the borough of Sheffield on the 1st instant, and presided over by the mayor of that city, expressive of their condemnation of the assassination of the late President, and of their sympathy with the government and people of the United States in this great national bereavement.

I will thank you, with the permission of her Majesty's government, to convey to the inhabitants of the borough of Sheffield, through their chief magistrate, the high appreciation in which their manifestations of sympathy and good will on this sad occasion are held by this government and people.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *June* 1, 1865.

SIR: At the request of the mayor of Southport, Lancashire, England, I have the honor to forward to you, for the United States government and for Mrs. Lincoln, copies of resolutions* passed at a public meeting of the inhabitants of that town, expressive of the deep regret and indignation which the recent lamentable events in the United States have occasioned.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *June* 1, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 29th ultimo, enclosing copy of a communication from the Attorney General's office, relative to a scheme alleged to be on foot in Brooklyn for invading Canada and Mexico, and to thank the government of the United States for the inquiry ordered, without delay, into the proceedings complained of.

I have directed her Britannic Majesty's consul at New York to furnish Mr. Silliman with such information as he possesses in the premises.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *June* 1, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 30th ultimo, informing me that the cases of E. W. Pratt and Robert Green, late of the "City of Richmond," will receive the early attention of the State Department.

Her Majesty's consul at New York has forwarded to me the enclosed duly authenticated affidavits of the chief engineer, boatswain, and four others of the crew of the above vessel, in support of Mr. Pratt's assertion that he objected to the alteration of the ship's course after passing Nahant.

I beg that due consideration will be given to the statements in these affidavits,

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* See Appendix, separate volume.

and I shall be much obliged to you if you will return them to me when they are no longer required, as well as the shipping articles enclosed in my note of the 17th ultimo, and the discharges of Pratt and Green, which, as I am informed, are now in the hands of the United States government, and which the prisoners are desirous of having restored to them.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c.*, *&c.*, *&c.*

[Enclosure.]

To all to whom these presents shall come:

I, William Webb Venn, of the city of London, notary public by royal authority, duly admitted and sworn, undersigned, do hereby certify and attest that on the date of the date hereof, within my public office, William W. Venn, notary public, personally came and appeared William Stone, Jeremiah Coglan, Charles Bishop, James Foster, William Grey, and David Williams, the six deponents named and described in the affidavit hereunto annexed, under my official seal, who did then and there, upon my administering to them respectively oath on the Holy Evangelists of Almighty God, solemnly and sincerely swear to be true the several matters and things mentioned and set forth in the said annexed affidavit.

[SEAL.] In testimony whereof, I have hereunto set my notarial firm and said official seal, to serve and avail where needful. London, the 10th of May. *In fidem.*

WILLIAM W. VENN, *Notary Public.*

CONSULATE OF THE UNITED STATES OF AMERICA AT LONDON.

I, Joshua Nunn, deputy consul of the United States of America for London and the dependencies thereof, do hereby make known and certify to all whom it may concern, that William Webb Venn, who hath signed the annexed certificate, is a notary public, duly admitted and sworn, and practicing in the city of London aforesaid, and that to all acts by him so done full faith and credit are and ought to be given in judicature and thereout.

In testimony whereof, I have hereunto set my hand, affixed the seal of the consulate of [SEAL.] the United States at London aforesaid, this 11th day of May, in the year of our Lord 1865, and in the 89th year of the independence of the said United States.

JOSHUA NUNN.

We, the undersigned, William Stone, late chief engineer of the steamship City of Richmond and now residing at 6 Arthurs street, Burdett road, Limehouse, in the county of Middlesex, in England; Jeremiah Cogblan, late boatswain of the said steamship City of Richmond, and now residing at No. 3 Craven Cottage, Woodham street, Barking road, in the said county of Middlesex; Charles Bishop, late quartermaster of the said steamship City of Richmond, and now residing at No. 3 Craven Cottages aforesaid; William Grey, late quartermaster of the said steamship City of Richmond, and now residing at No. 41 Evan street aforesaid, jointly and severally make oath and say, that we severally signed articles to join the said steamship City of Richmond to take said ship to Bermuda, or to one of the other West India islands; and we hereby severally further say, and declare that we were not acquainted, nor, to the best of our knowledge, information, or belief, was Mr. Ernest Pratt, the first mate of the said steamship City of Richmond, acquainted with the intentions of the owners or captain of the said ship in reference to any alteration of the said ship to Bermuda, or to any other of the West India islands; and we further jointly and severally make oath and say that we were totally ignorant of the nature of the cargo on board of the said steamship City of Richmond; and we further jointly and severally declare that when at sea the first mate, Mr. Ernest Pratt, protested to Captain Scott, the captain of the said steamship, against the alteration that he ordered and directed to be made of the course of the said steamship, but that he, the said Ernest Pratt, as well as the several above-named deponents, were compelled to obey the orders of the said Captain Scott.

WILLIAM STONE.
JEREMIAH COGBLAM.
CHARLES BISHOP.
JAMES FOSTER.
WILLIAM GREY.
DAVID WILLIAMS.

Sworn by the above-named deponents, William Stone, Jeremiah Cogblan, Charles Bishop, James Foster, William Grey, and David Williams, at my public office, in the city of London, this 10th day of May, 1865, before me.

WILLIAM W. VENN, *Notary Public.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 2, 1865.

SIR: I have the honor to enclose a copy of a letter of the 31st ultimo from Major General Dix, and of a statement made by Frederick Buckstorf and Matilda Swan in regard to an infamous attempt to introduce into New York and other northern cities the dangerous, contagious disease known as yellow fever.

The proceedings already adopted in Bermuda for the punishment of some of the parties implicated in this diabolical scheme, and the requirements of common humanity so fully recognized by all British communities, render it hardly necessary for me to point out to you the expediency of your communicating with the authorities of Bermuda on the subject, with a view to their adoption of such measures as will subject all the guilty parties to the severest punishment which can be lawfully applied to them.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Major General Dix to Mr. Seward.

HEADQUARTERS DEPARTMENT OF THE EAST,
New York City, May 31, 1865.

SIR: The bearer, Frederick Buckstorf, from Bermuda, will deliver to you some papers showing that four trunks of clothing infected with yellow fever are now in this city, and that they were brought here by Rainey, a colored barber, now in Bermuda.

I have thought the matter of such urgent importance as to warrant my sending him to you, with a view to the adoption of such measures as may be necessary to secure this city from a great calamity, especially as the matter is beyond the reach of my own authority—Rainey being in a foreign country.

Respectfully, yours,

JOHN A. DIX, *Major General.*

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure.]

OFFICE OF THE SUPERINTENDENT OF THE METROPOLITAN POLICE,
New York, May 29, 1865.

Statement of Frederick Buckstorf.

I reside at 172 Ludlow street, rear building. I arrived here on Thursday last from Bermuda, in the brig T. H. A. Pitt. I left Bermuda on the Thursday previous. One day before leaving, Mrs. Swan, the wife of E. C. Swan, who has been tried and sentenced in Bermuda for having in his possession clothing infected with yellow fever, told me that she had been told by certain parties, (one of them was the cook of the Hamilton Hotel, a negro woman,) that a negro barber named Joseph H. Rainey, who went with Dr. Blackburn last October to Halifax, and from there alone to New York, on his return from New York told the cook that he had taken charge of four trunks for Dr. Blackburn, containing infected clothing, and bottles containing black-vomit that had been collected by Dr. Blackburn; and that he, Joseph H. Rainey, had left the same in New York, where they were to be opened and exposed in June next. I also heard from several parties in Bermuda that Rainey had left Bermuda without means, and on his return he started a barber's shop; and it was known that he was possessed of funds. Mr. Allen, United States consul, told me that when Rainey applied to him for a passport for New York, he said he was going by the way of Halifax; that Mr. Allen thought at the time it was strange that he should take such an expensive route, as the fare was forty dollars to Halifax, and the fare was only twenty dollars to New York in a sailing-vessel.

F. BUCKSTORF.

[Enclosure.]

OFFICE OF THE SUPERINTENDENT OF THE METROPOLITAN POLICE,
New York, May 29, 1865.

Statement of Matilda Swan.

I arrived here in New York on Thursday last in the brig T. A. C. Pitt, from Bermuda. My husband is Edward C. Swan; he was arrested in Bermuda some weeks since for having in his possession trunks of infected clothing; they were sent to his house by Dr. Blackburn. My husband has been tried, convicted, and was at the time of my leaving Bermuda awaiting his sentence. A few days before I left Bermuda, while I was boarding at the Talford hotel—I was standing at the kitchen door—I heard the cook, a negro woman, say to a Mrs. Emery, that if she, the cook, had been called on, she would have exposed the whole matter, and that a man named Rainey, a colored barber, was the man who Dr. Blackburn had employed to take four trunks of infected clothing to New York, and that they were in New York now, and she believed that they would certainly have the yellow fever in New York this summer, and that Dr. Blackburn had paid him to take the trunks to New York, and had started him in business in Bermuda, and had sent Rainey's family from Canada to Bermuda.

MATILDA SWAN.

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 2, 1865.

SIR: I have the honor to acknowledge the receipt of your note of yesterday, transmitting to this government and to Mrs. Lincoln copies of resolutions passed at a public meeting of the inhabitants of Southport, England, on the occasion of the lamentable events which have recently occurred in the United States. In reply I have the honor to state that the copy for Mrs. Lincoln will be forwarded to its destination, and on a future occasion the subject will receive further attention.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 29th ultimo, communicating to me a copy of a despatch which you have received from the governor of Newfoundland, enclosing a resolution of the executive council of that colony called forth by the assassination of President Lincoln.

I beg you to acquaint his excellency the governor of Newfoundland that it has given this government profound gratification to receive the cordial expressions of condolence, sympathy, and friendship which are contained in the despatch and resolution adverted to, and it is not doubted that they will meet with a similar reception by the people, when they shall have been made public.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *June* 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of yesterday's date, and of its enclosures, relative to an infamous attempt to introduce into New York and other northern cities the dangerous contagious disease known as yellow fever.

I will lose no time in bringing your communication to the knowledge of the authorities of Bermuda, and you may rest assured that they will not fail to adopt every legal means in their power for the arrest and punishment of the persons implicated in this most atrocious scheme.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *June* 5, 1865.

SIR: With reference to my note of the 18th ultimo, relative to the excessive charges levied on British vessels in the port of Boston, I have the honor to transmit copies of a further despatch, and of its enclosures, which I have received from her Majesty's consul at Boston, from which it appears that the system complained of is still in force with respect to British vessels, notwithstanding the instructions of the Treasury Department.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WM. HUNTER, *&c., &c., &c.*

Mr. Lousada to Sir F. Bruce.

HER MAJESTY'S CONSULATE,
Boston, May 31, 1865.

SIR: In reference to my despatch, No. 30, of the 9th instant, I regret to say that the unjust charges to which British vessels entering this port are subjected still continue.

The enclosed correspondence will show that on my remonstrance with the collector, instructions were asked from Washington, and the reply (copy enclosed, No. 1) fully bears out my position. I then (No. 2, enclosed) suggested the return of such overcharges, and the collector (enclosure No. 3) admits the claim, but hampers it with such conditions as to render it practically null; the vessels which he would admit as rightful claimants having already sailed and not being likely to return within the time limited to putting in their claim.

Passing, however, over this, the original grievance still continues; for instance, no later than this 25th instant the "Vivid," of 73 tons, was unlawfully made to pay $13,50 for measurement. I then wrote (enclosure No. 4) to request an explanation of this charge being made, in face of the collector's letter to myself saying that his instructions from Washington were as follows: "Foreign vessels are not chargeable with fees for measurement." The collector's reply, received this day, (enclosure No. 5,) is very unsatisfactory. The charge is clearly illegal, and there is no reason, seeing the slowness of official correspondence, why this further inquiry may not go on for some time, perhaps throughout the whole summer, to the manifest injury of our vessels. I therefore think it my duty to report the whole case for the action of the legation.

F. LOUSADA.

SIR F. BRUCE.

Mr. Harrington to Mr. Goodrich.

TREASURY DEPARTMENT,
May 6, 1865

SIR: I have received your letter of the 4th instant relative to the admeasurement of vessels not of the United States, and reply that foreign vessels pay tax on their tonnage as ascertained by actual measurement according to United States laws, except when by treaty stipulations the tonnage expressed on the vessel's register is accepted as correct.

The method of admeasurement prescribed by the law of May 6, 1864, entirely supersedes that of the act of March 2, 1799, and applies as well to foreign as to American vessels when the tonnage of the former is to be ascertained, the foreign vessels, however, are not chargeable with fees for measurement.

I am, sir,

GEORGE HARRINGTON,
Ass't Secretary of the Treasury.

J. Z. GOODRICH, *&c., &c., &c.*

Mr. Lousada to Mr. Goodrich.

HER MAJESTY'S CONSULATE,
Boston, May 18, 1865

SIR: In reply to your note of the 17th instant, enclosing to me copy of treasury letter of May 6th, the decision there set forth would seem to bear out my objections to British vessels paying tax on the old United States measurement, and I beg to be informed if my claim on behalf of those British vessels that have been erroneously overcharged will be entertained.

I see that the Treasurer's minute is dated the 6th instant, although only communicated to me on the 17th, and it appears that no later than yesterday a vessel, Jane McDingle, of 82 tons, was measured according to the United States old plan, and made to pay on 154 tons.

F. LOUSADA,
Her Britannic Majesty's Consul.

J. Z. GOODRICH, *&c., &c., &c.*

Mr. Goodrich to Mr. Lousada.

CUSTOM HOUSE, COLLECTOR'S OFFICE,
Boston, May 25, 1865.

SIR: In reply to your communication of the 18th instant, I beg leave to state that all payments for excess of tonnage made during the coming month can be refunded at this office. Prior to that time I have no authority. Application for a refund must be made during the present month.

Very respectfully,

J. Z. GOODRICH, *Collector.*

F. LOUSADA, Esq.

Mr. Lousada to Mr. Goodrich.

HER MAJESTY'S CONSULATE,
Boston, May 30, 1865.

DEAR SIR: The schooner Orina was charged on the 25th of May $13 50 for measurement. The letter of the Treasury Department dated May 6, of which you sent me a copy, says, "foreign vessels, however, are not chargeable with fees for measurement." I shall be glad of an explanation of this discrepancy.

F. LOUSADA,
Her Britannic Majesty's Consul.

Hon. J. Z. GOODRICH, *&c., &c. &c.*

Mr. Goodrich to Mr. Lousada.

CUSTOM HOUSE, COLLECTOR'S OFFICE,
Boston, May 30, 1865.

DEAR SIR: I have your favor of this date, and, in reply, have to say that I reported the decision of the department to which you refer to the surveyor. He is having some further correspondence with the department on the subject on his own responsibility. I understand him to say that he deems it his duty to collect the fees till he receives a reply. This is all the reply I can make.

J. Z. GOODRICH.

F. LOUSADA, Esq., *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 5, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 27th ultimo, transmitting a copy of a resolution which has been forwarded to you by the Grand Lodge of freemasons of Ireland, with reference to the assassination of President Lincoln.

With the sanction of her Majesty's government, I will thank you to convey to the proper officer of the Grand Lodge an expression of the grateful estimation placed by this government upon that acceptable manifestation of sympathy in our national affliction.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 7, 1865.

SIR: I have the honor to acknowledge the receipt of your communication of the 5th instant, relative to the charges levied on British vessels in the port of Boston, and to inform you that the necessity for a consideration of its contents has been anticipated by my note of to-day and its accompaniments, upon the subject, wherein it is stated by the Secretary of the Treasury that no fee for readmeasurement of British vessels will be charged; but that the tax cannot, in compliance with the act of the 6th of May, 1864, be levied upon the basis afforded by the British register. The collector of the port of Boston has been authorized to refund any excess of tonnage he may have received under the act of the 6th of May, 1864.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 7, 1865.

SIR: Referring to your note of the 18th ultimo requesting that the additional tax which is alleged to have been unduly levied upon British vessels since the 17th of April may be remitted, I have the honor to enclose, in reply, a copy of a communication of the 29th ultimo from the Treasury Department.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. McCulloch to Mr Hunter.

TREASURY DEPARTMENT, *May* 29, 1865.

SIR: I have the honor to acknowledge your letter of the 26th instant, covering the despatch of the British minister of the 18th, remonstrating against the enforcement by the collector of Boston of tonnage tax on British vessels under the old system of 1799, whereby their register tonnage is increased nearly one-third, and requesting that the tonnage of such vessels may be hereafter assessed upon the tonnage borne by their British registers; and also that the excess of tonnage tax thus collected may be refunded.

The excess of tonnage tax on British vessels over and above the tonnage ascertained to be due by remeasurement under the act of 6th May, 1864, will be refunded by the collector in compliance with my letter of instructions to him of this day's date, a copy of which is herewith enclosed.

With great respect,

H. McCULLOCH,
Secretary of the Treasury.

Hon. W. HUNTER, *Acting Secretary of State.*

Mr. McCulloch to Mr. Goodrich.

TREASURY DEPARTMENT, *May* 29, 1865.

SIR: The attention of this department has been called to the imposition of the tonnage tax on British vessels under the act of 1799 instead of the 6th of May, 1864, with the request that the additional tax which you have "thus unduly levied upon British vessels since the 1st of April last may be remitted, and that in future the tax in question may be assessed upon the tonnage borne upon the British registers."

This last request cannot be granted. By letter of this department of the 6th instant, you were directed to levy the tonnage tax according to the law regulating the admeasurement of tonnage of May 6, 1864, but that no fee for such readmeasurement of British vessels was to be charged by you.

You are hereby authorized and instructed to refund to masters or their representatives any excess of tonnage you may have collected of British vessels as may be shown by readmeasurement under the act of May 6, 1864, and in case these vessels are no longer within your district or are loaded for departure, you will charge tonnage duties according to their several British registers.

With great respect,

H. McCULLOCH,
Secretary of the Treasury.

J. Z. GOODRICH, Esq.,
Collector, &c., Boston, Massachusetts.

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *June* 10, 1865.

SIR: It will be in your recollection that, in the year 1864, a correspondence passed between this legation and the State Department, arising out of an offer on the part of the United States government to station a squadron on the African coast for the suppression of the slave trade, in fulfilment of the obligations of the treaty of July, 1862.

This plan for a joint co-operation, however, could not then be carried into effect, owing to difficulties arising on the terms of the proposal for the admission of the vessels of the United States into British ports on the African coast, but the Secretary of the Navy of the United States, in declining the proposal, expressed a hope that no long time would elapse before the Naval Department would be able to tender the means of an efficient co-operation on the terms of the treaty for the suppression of the slave trade.

I am now instructed, by her Majesty's principal secretary of state for foreign affairs, to invite the attention of the United States government to this matter, and to state that her Majesty's government are still most anxious to obtain the assistance of United States cruisers in putting down the slave trade; and I am at the same time to assure the government of the United States that their

cruisers will be received in all British ports on the African coast on the most friendly terms.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. W. HUNTER, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE, *June* 12, 1865.

SIR: I have had the honor to receive your note of the 10th instant, on the subject of the obligations of the United States under the treaty of July, 1862, to keep up a squadron on the African coast for the purpose of aiding in the suppression of the slave trade.

In reply, I have the honor to inform you that your communication shall receive as prompt attention as circumstances, well known to you, connected with my state of health, will allow.

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 14, 1865.

SIR: I have been requested by the president of the Soldiers' National Cemetery, at Gettysburg, Pennsylvania, to extend to you an invitation to attend the ceremonies of laying the corner-stone of the monument to the memory of the soldiers who fell on the battle-field of Gettysburg which are to take place on the 4th of July next.

The ceremonies cannot fail to be interesting, and it is hoped that you may find it convenient to accept the invitation to be present on that occasion.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *June* 15, 1865.

SIR: You will doubtless recollect that in November last formal notice was given to her Majesty's government by the American minister in London, that at the expiration of six months the government of the United States would deem themselves at liberty to increase, if they saw fit, their naval armament on the lakes.

In March, however, Mr. Adams, in compliance with instructions, dated March 8th, informed her Majesty's government that the government of the United States were quite willing that the agreement of 1817, in regard to armament on the lakes, should remain practically in force; that the United States had not constructed any additional war-vessels on the lakes, and that no such vessel would be built or armed by them in that quarter; and that they hoped the same course would be pursued by the British government.

It may admit of a doubt whether the notice of the abrogation of the agreement has been rendered inoperative by the communication thus made through the American minister, and, as it is essential that no misapprehension should exist on so important a point, I am instructed to ascertain whether the despatch to Mr. Adams of the 8th of March was intended as a formal withdrawal of the notice given by the American minister to Earl Russell on November the 23d, or whether, as the period of six months from the date of that notice has now elapsed, the agreement of 1817 is virtually at an end, and the abstinence of either party from increasing its force on the lakes, without further notice, rests merely on the good pleasure of each, unfettered by any diplomatic engagement.

Her Majesty's government consider that, in the latter case, a very inconvenient state of things would exist; and I am directed to add, that it appears to her Majesty's government that the best course would be, that the notice of November 23d should be formally withdrawn, whereby the agreement of 1817 would remain unimpaired, and would continue binding on both parties until six months after fresh notice by either of them of its abrogation.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 16, 1865.

SIR: I have the honor to acknowledge the receipt of your note of yesterday, relative to the notice given by Mr. Adams to Earl Russell in November, 1864, and also having reference to a subsequent note of the 8th of March, which Mr. Adams addressed to his lordship, touching the increase of naval armaments on the lakes. In reply, I have the honor to inform you that the instruction to the United States minister at London, upon which his note of the 8th of March referred to was based, was intended as a withdrawal of the previous notice within the time allowed, and that it is so held by this government.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

WASHINGTON, *June* 17, 1865.

SIR: I beg you to thank the president of the Soldiers' National Cemetery at Gettysburg for the invitation to attend the ceremony of laying the corner-stone of the monument at that place on the 4th of July.

I regret that circumstances put it out of my power to be present on so interesting an occasion.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c,*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 19, 1865.

SIR: Due consideration has been given to a despatch which Earl Russell addressed to you on the 2d of June, instant, and of which on the 14th instant you were so kind as to leave a copy at this department. The President is gratified by the information which that paper contains, to the effect that her Majesty's government has determined to consider the war which has lately prevailed between the United States and the insurgents of this country to have ceased *de facto*, and that her Majesty's government has recognized the re-establishment of peace within the whole territory of which the United States were in undisturbed possession at the beginning of the civil war.

The President is also gratified to learn from Earl Russell's despatch that her Majesty's government will forthwith send her Majesty's authorities in all ports, harbors, and waters belonging to her Majesty, whether in the United Kingdom or beyond the seas, orders henceforth to refuse admission into any such ports, harbors, and waters of any vessel-of-war carrying the insurgent flag, and to require any insurgent vessels-of-war, which, after the time that the orders may be received by her Majesty's authorities, may have already entered such ports, and which, having complied with the previous proclamations of the British government, may be actually within such ports, harbors, and waters, forthwith to depart from the same.

It is with regret, however, that I have to inform you that Earl Russell's aforesaid despatch is accompanied by some explanations and reservations, which are deemed unacceptable by the government of the United States.

It is hardly necessary to say that the United States do not now admit what they have heretofore constantly controverted, that the original concession of belligerent privileges to the rebels by Great Britain was either necessary or just, or sanctioned by the law of nations.

The correspondence which took place between this government and that of her Majesty, at an early stage of the insurrection, shows that the United States deemed the formation of a mutual engagement by Great Britain with France, that those two powers would act in concert with regard to the said insurrection, to be an unfriendly proceeding, and that the United States therefore declined to receive from either of those powers any communication which avowed the existence of such an arrangement. I have, therefore, now to regret that Earl Russell has thought it necessary to inform this government that her Majesty's government have found it expedient to consult with the government of France upon the questions whether her Majesty's government will now recognize the restoration of peace in the United States.

It is a further source of regret that her Majesty's government avow that they will continue still to require that any United States cruisers which shall hereafter be lying within a British port, harbor, or waters, shall be detained twenty-four hours, so as to afford an opportunity for an insurgent vessel, she actually being within the said port, harbor, or waters, to gain the advantage of the same time for her departure from the same port, harbor, or waters.

It is a further source of regret that her Majesty's government have deemed it proper to make the additional reservation in favor of insurgent vessels-of-war, that, for the period of a whole month, which shall elapse after the new orders now to be issued by her Majesty's government shall have been received by the said authorities, any insurgent vessel which may be found in, or may enter any port, harbor, or waters of her Majesty's dominions, and which may desire to divest itself of its warlike character and to assume the flag of any nation recognized by her Majesty's government with which her Majesty is at

peace, will be allowed to do so; and further, that such vessels, after disarming themselves, will be permitted to remain in such port, harbor, or waters without an insurgent flag, although the twenty-four-hours rule will not be applicable to the cases of such vessels. Far from being able to admit the legality or justice of the instruction thus made, it is my duty to inform your excellency that in the first place the United States cannot consent to an abridgment of reciprocal hospitalities between the public vessels of the United States and those of Great Britain. So long as her Majesty's government shall insist upon enforcing the twenty-four-hours rule, before mentioned, of which the United Sates have so long, and, as they think, so justly complained, the United Sates must apply the same rule to public vessels of Great Britain.

Again, it is my duty further to state that the United States cannot admit, and, on the contrary, they controvert and protest against, the decision of the British government which would allow vessels-of-war of insurgents or pirates to enter or to leave British ports, whether for disarmament or otherwise, or for assuming a foreign flag or otherwise. As to all insurgent or piratical vessels found in ports, harbors, or waters of British dominions, whether they entered into such ports, harbors, or waters before or after any new orders of her Majesty's government may be received by any authority of her Majesty's government established there, this government maintains and insists that such vessels are forfeited to and ought to be delivered to the United States upon reasonable application in such cases made; and that if captured at sea, under whatever flag, by a naval force of the United States, such a capture will be lawful.

Notwithstanding, however, the exceptions and reservations which have been made by her Majesty's government, and which have been herein considered, the United States accept with pleasure the declaration by which her Majesty's government have withdrawn their former concession of a belligerent character to the insurgents; and this government further freely admits that the normal relations between the two countries being practically restored to the condition in which they stood before the civil war, the right to search British vessels has come to an end by an arrangement satisfactory in every material respect between the two nations.

It will be a source of satisfaction to this government to know that her Majesty's government have considered the views herein presented in a spirit favorable to the establishment of a lasting and intimate friendship between the two nations.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. Sir Frederick W. A. Bruce, *&c. &c., &c.*

[Communicated by the British legation June 14, 1865, and referred to in the preceding note.]

Foreign Office, *June* 2, 1865.

Sir: I received on the 25th ultimo your despatch of the 10th ultimo, enclosing a copy, taken from a newspaper, of a proclamation issued by the President of the United States on that day, declaring, among other matters, that "armed resistance to the authority of this government," viz., the government of the United States, "may be regarded as virtually at an end, and the persons by whom that resistance as well as the operations of insurgent cruisers were directed are fugitives or captives."

On the day following the receipt of your despatch intelligence reached this country of the capture of president Davis by the military forces of the United States.

In this state of things her Majesty's government lost no time in communicating with the government of the Emperor of the French as to the course which should be pursued by the

two governments, and while these communications were in progress I received officially from Mr. Adams, on the 30th ultimo, a copy of the President's proclamation of the 10th.

It would, indeed, have been more satisfactory if the government of the United States had accompanied the communication of the President's proclamation with a declaration that they formally renounced the exercise, as regards neutrals, of the rights of a belligerent; but her Majesty's government considered that, in the existing posture of affairs, the delay of any formal renunciation to that effect did afford to neutral powers sufficient warrant for continuing to admit the possession of a belligerent character by a confederation of States which had been actually dissolved. The late president of the so-called Confederate States has been captured and transported as a prisoner to Fort Monroe; the armies hitherto kept in the field by the Confederate States have, for the most part, surrendered or dispersed; and to continue to recognize those States as belligerents would not only be inconsistent with the actual condition of affairs, but might lead to much embarrassment and complication in the relations between the neutral powers and the government of the United States.

Her Majesty's government have, accordingly, after communication with the government of the Emperor of the French, determined to consider the war which has lately prevailed between the United States and the so-called Confederate States of North America to have ceased *de facto;* and on that ground they recognize the re-establishment of peace within the whole territory of which the United States before the commencement of the civil war were in undisturbed possession.

As a necessary consequence of this recognition, her Majesty's government will forthwith send to her Majesty's authorities in all ports, harbors, and waters belonging to her Majesty, whether in the United Kingdom or beyond the seas, orders henceforth to refuse admission into any such ports, harbors, and waters of any vessel-of-war carrying a confederate flag, and to require any confederate vessels-of-war which, at the time that the orders may be received by her Majesty's authorities, may have already entered such ports, harbors, and waters on the faith of proclamations heretofore issued by her Majesty, and which, having complied with the provisions of such proclamations, may be actually within such ports, harbors, and waters, forthwith to depart from the same.

But in adopting this decision as regards confederate vessels of-war found within British ports, harbors, and waters when the orders are received by her Majesty's authorities, her Majesty's government consider that a due regard for national good faith and honor requires that her Majesty's authorities should be instructed that any confederate vessels-of-war, so required to depart, should on their departure have the benefit of the prohibition heretofore enforced against their being pursued within twenty-four hours by a cruiser of the United States lying at the time within the same port, harbor, and waters; and that such prohibition should be then and for the last time maintained in favor of such confederate vessels-of-war. Her Majesty's government cannot anticipate any objection being made by the government of the United States to this reserve, when the ground on which it is adopted is explained to that government.

Her Majesty's government have, however, thought it right to provide for the contingency of the commander of any confederate vessel-of-war which may be found in any port, harbor, or waters of her Majesty's dominions at the time when these new orders are received by her Majesty's authorities, or may enter such port, or harbor, or waters, within a month after these new orders are received, desiring to divest his vessel of her warlike character, and to assume the flag of any nation recognized by her Majesty's government as in a state of peace with her Majesty; and in such a case her Majesty's authorities will be authorized to allow the commander of the vessel to do so, and, after disarming her, to remain without a confederate flag, within British warers, at his own risk in all respects; in which case such commander will be distinctly apprised that he is to expect no further protection from her Majesty's government, except such as he may be entitled to in the ordinary course of the administration of the law in time of peace. The rule as to twenty-four hours would not be applicable to the case of such vessel.

I have to instruct you to lose no time in making known to the government of the United States, by communicating to the Secretary of State a copy of this despatch, the course of action on which her Majesty's government have decided, and which they doubt not will be agreeable to the government of the United States. But, in making this communication to the Secretary of State, you will add that her Majesty's government have adopted this course under the full persuasion that the government of the United States will on their part, at once, desist from exercising towards neutrals the rights of blockade, and of search and detention of neutral vessels on the high seas, which can be lawfully exercised by belligerents alone, and which a power not engaged in warfare cannot, under the law of nations, assume to exercise.

I have, &c.,

RUSSELL.

Hon. SIR FREDERICK BRUCE, *G. C. B., &c., &c., &c.*

Sir Frederick Bruce to Mr. Seward.

WASHINGTON, *June* 20, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 19th instant, relative to Earl Russell's despatch of the 2d June, copy of which I left at the State Department, and I have forwarded a copy of that note to her Majesty's government.

It is not within my province to discuss the general observations therein contained on the despatch in question; but, as the construction I put on its terms differs on one important point from that contained in the note you have done me the honor to address to me, I venture to submit at once the views I entertain of its intention for your consideration.

In that note it is stated that "her Majesty's government avow that they will continue still to require that any United States cruisers which shall hereafter be lying within a British port, harbor, or waters, shall be detained twenty-four hours so as to afford an opportunity for an insurgent vessel then actually being within the said port, harbor, or waters to gain the advantage of the same time for her departure from the same port, harbor, or waters."

On a mature consideration of the terms of Earl Russell's despatch, its intention appears to me to be different from the statement contained in the above extract. I understand it to lay down, that the benefit of the twenty-four-hours rule is withdrawn from the so-called confederate vessels-of-war, and that the only exception to this decision will occur under the following circumstances:

If a vessel of this description is lying in a British port when these fresh instructions are received by her Majesty's authorities, the said vessel having already entered that port on the faith of previous proclamations, and if a cruiser of the United States is lying in the same port, the said vessel is *then and for the last time* to enjoy the benefit of the twenty-four-hours rule.

According to my view, therefore, the case can only arise once on the receipt by her Majesty's authorities of the instructions alluded to in Earl Russell's despatch; nor do I understand, that, except in the particular and improbable contingency above mentioned, there will be any deviation hereafter from the rules of intercourse as practiced towards the vessels-of-war of a friendly state.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, June 24, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 1st instant, and of the affidavits which accompanied it, in relation to the detention at New York of Ernest W. Pratt and Robert Green, late of the steamer City of Richmond, and, in reply, to inform you that Major General Dix has, by a letter of that date, been requested to discharge the men from custody.

Referring to your note of the 3d of April last, on that subject, I have the honor to state that these men were detained in conformity with the requirements of the passport regulations in force at the time of their arrival at New York, and with a view to an investigation of the circumstances of their participation in the manning and equipping of the Stonewall, but in view of the termination of

the insurrection, and the altered condition of affairs resulting therefrom, the decision already stated has been adopted.

In compliance with your request, I now return the certified copy of the shipping articles which accompanied your note of the 17th of May, the affidavits enclosed in your note of the 1st instant, and the certificates of discharge of the men from the City of Richmond, which were sent to this department by General Dix, and which contain the indorsement of the United States consul at Nassau.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce, Marquis de Montholon, Mr. de Stoeckl and Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, June 26, 1865.

SIR: I have the honor to transmit, for your information and that of your government, six copies of the President's proclamation of the 23d instant, relative to the blockade.

I have the honor to be, with high consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

[Rescinding the blockade as to all ports of the United States, including that of Galveston, June 23, 1865.]

By the President of the United States of America.

A PROCLAMATION.

Whereas, by the proclamations of the President of the nineteenth and twenty-seventh of April, eighteen hundred and sixty-one, a blockade of certain ports of the United States was set on foot; but whereas the reasons for that measure have ceased to exist:

Now, therefore, be it known that I, Andrew Johnson, President of the United States, do hereby declare and proclaim the blockade aforesaid to be rescinded as to all the ports aforesaid, including that of Galveston and other ports west of the Mississippi river, which ports will be open to foreign commerce on the first of July next, on the terms and conditions set forth in my proclamation of the twenty-second of May last.

It is to be understood, however, that the blockade thus rescinded was an international measure for the purpose of protecting the sovereign rights of the United States. The greater or less subversion of civil authority in the region to which it applied, and the impracticability of at once restoring that in due efficiency, may, for a season, make it advisable to employ the army and navy of the United States towards carrying the laws into effect, wherever such employment may be necessary.

In testimony whereof, I have hereunto set my hand, and caused the seal of the United States to be affixed.

Done at the city of Washington, this twenty-third day of June, in the year of our Lord one thousand eight hundred and sixty-five, and of the independence of the United States of America the eighty-ninth.

[SEAL.]

ANDREW JOHNSON.

By the President:
W. HUNTER, *Acting Secretary of State.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, July 1, 1865.

SIR: I hasten, immediately after my return to the seat of government, to reply to your note of the 20th of June last, which was duly received at this department.

The President is pleased to know that, in your excellent opinion, the application, in certain cases contemplated by her Majesty's government, of the twenty-four-hours rule to naval vessels of the United States in British ports, harbors, and waters, is more guarded than had been supposed when my note addressed to you on the 19th of June was written.

It is the desire of the United States that, as far as possible, all injurious effects of the questions which have arisen between this government and that of Great Britain during the internal disturbances which have prevailed in this country for the last four years may be removed. We hail, therefore, as of good augury every demonstration of liberality and consideration which comes to us from her Majesty's government.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

WASHINGTON, *July* 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 1st instant, in reply to the explanation I offered of the meaning of the despatch of Earl Russell to me of the 2d June, copy of which I communicated to the government of the United States.

It is with much satisfaction that I shall communicate a copy of the note to her Majesty's government by this day's mail.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

WASHINGTON, *July* 7, 1865.

Sir Frederick Bruce presents his compliments to Mr. Seward, and has the honor to forward to him the enclosed letter and resolution of the Methodist New Connexion church of Canada, which have been transmitted to him by his excellency the governor general of Canada.

Mr. Tindall to Mr. Seward.

AYLMER, CANADA WEST, *June* 20, 1865.

SIR: I am directed to transmit to you the enclosed resolution,* which was unanimously passed at the late session of the conference of the Methodist New Connexion church of Canada;

And remain, yours, with respect,

WILLIAM TINDALL,
Secretary of Conference.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, U. S.

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* See Appendix, separate volume.

Sir F. Bruce to Mr. Seward.

WASHINGTON, *July* 10, 1865.

SIR: I am instructed by Earl Russell to convey to the United States government the thanks of her Majesty's government for the information contained in Mr. Hunter's note of the 27th of May, relative to the steamer under Mexican colors called the Margarita Quintero, and to state that the vessel in question is the notorious Spanish slave steamer Ciceron.

There is reason to believe that she has changed her name and flag in order that she may be the better able to carry on the traffic in slaves, in which, for the last two years, she has been engaged.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

Mr. Seward presents his compliments to Sir Frederick Bruce, and has the honor to acknowledge the receipt of his note of the 7th instant, enclosing a letter and resolution of the Methodist New Connexion church of Canada, which had been transmitted to Sir Frederick Bruce by his excellency the governor general of that province.

Mr. Seward begs that Sir Frederick Bruce will convey, through his excellency the governor general, and William Tindall, esq., their secretary, residing at Aylmer, Canada West, to the respected body from which the friendly and humane expressions in regard to the assassination of the late President of the United States, to the question of slavery, and the relations, past and future, between the two nations, emanate, an assurance that they are gratefully appreciated by the government and people of the United States.

DEPARTMENT OF STATE,
Washington, July 11, 1865.

Sir F. Bruce to Mr. Seward.

WASHINGTON, *July* 12, 1865.

SIR: Her Majesty's government have had under their earnest consideration the record of the proceedings of the naval court of inquiry held at Boston in the case of the Night Hawk, a copy of which accompanied the note addressed to Mr. Burnley by the Secretary of State of the United States on the 6th January last.

I have now the honor, in pursuance of instructions which I have received from her Majesty's principal secretary of state for foreign affairs, to state to you that her Majesty's government have perused with equal surprise and regret these papers, which, while they in no respect alter the previous impressions of her Majesty's government as to the case of the Night Hawk, or as to the treatment of the British subjects who constituted the crew of that vessel, furnish in themselves serious grounds of complaint, both with respect to the manner in which the naval court of inquiry was conducted, and as to the continued detention in prison, while that inquiry was pending, of the officers of the Night Hawk.

The court of inquiry appears to have been ordered by the Secretary of the Navy of the United States "for the purpose of inquiring into the circumstances attending the capture and destruction of the steamer Night Hawk;" and the court was most properly instructed to "direct its particular attention to the treatment of her officers and crew at the time of and subsequent to her capture and destruction."

When the inquiry was directed and held, the captain and three officers of the Night Hawk were still detained as prisoners, her crew having been released about a week previously; and the only ground which was or could be alleged for lengthening their imprisonment (originally unjustifiable) was that their evidence would be wanted before the court of inquiry.

How, then, was the inquiry conducted? The judge advocate called as witnesses all the officers and some of the crew of the Niphon, whose conduct was the subject of investigation; among the rest Mr. Seaman, the officer in charge of the boarding party, and the person most directly responsible for any wrong which might have been done. It appeared, even on their own evidence, that while the Night Hawk was lying aground, without any signs of armed resistance, some shots were fired into her by the boarding party. Mr. Seaman, in his evidence, acknowledges to have hailed the Night Hawk to know if she would surrender, and to have at the same time fired several rifle shots into and about the wheel-houses. It appeared, further, that a passenger, Dr. Taylor, was wounded by one of those shots, and that Mr. Seaman used personal violence towards the chief engineer, striking him and knocking him down with the but end of a pistol, so that he remained senseless on the deck, and that this latter violence occurred after he (Mr. Seaman) had set the ship on fire.

The persons responsible for these occurrences were the only witnesses called upon for explanation concerning them. After they were heard, the judge advocate stated that he "*knew of no other person whom it was necessary to summon before the court;*" and, "the testimony being finished," the court found in accordance with the version of the facts given by these witnesses, and placed upon those facts the most favorable construction. All this time the officers of the Night Hawk (including the chief engineer, whom Mr. Seaman had knocked down) were kept in prison; their evidence was neither asked nor obtained; they had no opportunity of tendering it, and that detention, for which no justification could be alleged except a *bona fide* intention to secure and make use of their testimony, resulted in its total suppression.

Her Majesty's government, I am directed to state, are convinced that the government of the United States would never be satisfied with such an inquiry, or admit that the imprisonment of their citizens was justified under such circumstances if the case were their own. Nor can her Majesty's government forget the recent case of James O'Neill, in which, after an *ex parte* inquiry had resulted in the exculpation of an officer of the United States navy by whom O'Neill had been causelessly wounded, a subsequent inquiry by court-martial, which the justice of the United States government induced them to direct, resulted in the condemnation and dismissal of that officer.

Her Majesty's government cannot but hope that the government of the United States will acknowledge that the course actually followed in the present instance is not that which the Secretary of the Navy of the United States intended when he directed the inquiry to be instituted, and that, upon further consideration or further examination, some satisfaction may yet be given to her Majesty's government in the case of the Night Hawk.

I have the honor to be, with high consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, July 18, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 12th instant, in which, under instructions received from her Majesty's principal secretary of state for foreign affairs, you present the views of your government in regard to the proceedings of the naval court of inquiry, held at Boston, in the case of the Night-Hawk. In reply, I have the honor to state that the subject will receive proper consideration.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

WASHINGTON, *July* 25, 1865.

SIR: The chargé d'affaires of Hayti has requested her Majesty's government to concur in guaranteeing the neutrality of the peninsula of Samana, a step in which he appears to think the government of the United States might not be disinclined to concur.

Before replying, her Majesty's government are anxious to ascertain the views entertained by the government of the United States of the above proposal, and I shall be glad if you can, without inconvenience, enable me to communicate the desired information.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

WASHINGTON, *July* 26, 1865.

Sir Frederick Bruce presents his compliments to Mr. Seward, and begs to enclose a copy of a resolution* passed by the grand division of the Order of the Sons of Temperance of the province of Canada, wherein they offer congratulations on the successful termination of the civil war in this country, and at the same time express their sympathy with the national bereavement.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Sir F. Bruce.

Mr. Seward presents his compliments to Sir Frederick Bruce, and has the honor to acknowledge the receipt of his note of yesterday, enclosing a copy of a resolution of the grand division of the Sons of Temperance of Canada, congratulating the United States on the successful termination of the civil war, and expressing their sympathy with them in their national bereavement.

Mr. Seward begs Sir Frederick Bruce to accept for himself, and to convey to the respected body adverted to, the thanks of this government for this manifestation of their friendship.

DEPARTMENT OF STATE,
Washington, July 27, 1865.

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* See Appendix, separate volume.

Sir F. Bruce to Mr. Seward.

BRITISH LEGATION,
Washington, D. C., July 31, 1865.

Sir Frederick Bruce presents his compliments to Mr. Seward, and begs to forward to him herewith, for presentation to the government of the United States, the resolutions* passed by the grand division of the Sons of Temperance of Montreal, Canada East, expressive of their feelings upon the death of the late President of the United States.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Hunter to Sir F. Bruce.

The Acting Secretary of State presents his compliments to Sir Frederick Bruce, and has the honor to acknowledge the receipt of his note of the 31st ultimo, and addressed to Mr. Seward, transmitting, for presentation to the government of the United States, the resolutions passed by the grand division of the Sons of Temperance of Montreal, Canada East, expressive of their feelings upon the assassination of the late President Lincoln.

The Acting Secretary of State begs Sir Frederick Bruce to convey to that body the high appreciation entertained by the government and people of the United States for these manifestations of sympathy and good will.

DEPARTMENT OF STATE,
Washington, August 2, 1865.

Sir F. Bruce to Mr. Seward.

WASHINGTON, *August* 7, 1865.

SIR: It has been reported to her Majesty's government that the captain of the United States corvette St. Mary has forcibly removed from on board a British merchant ship a seaman who had deserted from his ship.

I am directed to inquire whether you are in possession of any information of this occurrence which I can communicate to my government.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE.
Washington, August 7, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant, in which you ask whether this department is in possession of any information regarding the alleged forcible removal, by the captain of the United States corvette St. Mary's, of a seaman from on board a British merchant vessel, who it is stated had deserted from the St. Mary's. In reply, I have the honor to acquaint you that, attention having previously been called to the sub-

*See Appendix, separate volume.

ject by the United States minister in Peru, inquiry in regard to it was made of the Secretary of the Navy, a copy of whose answer is herewith enclosed.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.,*

Mr. Welles to Mr. Hunter.

NAVY DEPARTMENT,
Washington, August 3, 1865.

SIR: I have had the honor to receive your letter of the 26th instant, enclosing a copy of a despatch from the United States minister in Peru "relative to the forcible abduction, by Commodore Colvocoresses, of the United States sloop-of-war St. Mary's," of a deserter from his vessel, from the English ship Star of Hope.

The department has no hesitation in disapproving the conduct of Commodore Colvocoresses in the matter referred to, and I enclose herewith a copy of a letter addressed to that officer on the subject.

Although the department deems the course pursued by Commodore Colvocoresses in a high degree censurable, there does not appear to be an entire absence of palliating circumstances in the case.

It is evident, beyond question, that the man was an American citizen and a deserter from a United States ship-of-war; that the master of the merchant vessel was determined to harbor and employ the deserter, knowing him to be such; that the British vice-consul, Mr. Dartnell, after ascertaining the facts of the case, readily assented to his surrender, but was unable to enforce this decision; and that Commodore Colvocoresses, not being well versed in public law, was thus naturally led to infer that in doing himself what the vice-consul would promptly have done for him had he possessed the necessary power, he committed nothing more than a nominal aggression. Neither of them appears to have had sufficient capacity to comprehend that, in the manner of arriving at substantial justice in this case, an important principle was overlooked; a principle which this government has so often, in other days, had occasion most strenuously to contend for, and would still be among the last to disregard.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

Hon. WILLIAM HUNTER,
Acting Secretary of State.

Mr. Welles to Commodore Colvocoresses.

NAVY DEPARTMENT, *July* 31, 1865.

SIR: The department has received your communication of the 10th and 29th ultimo, in relation to the forcible removal by you of a seaman from a British merchant vessel at the Chincha Islands. A letter on the same subject has also been received from the Department of State submitting, for the consideration of this department, a copy of a despatch from the United States minister at Lima.

Your course in the matter referred to is disapproved. The want of intelligence and judgment which you have manifested has placed the department in the unpleasant position of being constrained to disavow your proceedings, and tender such apology for them as the facts of the case furnish, and which it is hoped will be received as satisfactory.

An officer occupying your position in the service should be better informed and educated, and better versed in the history of his country than to be required to be taught now the meaning of the word "impressment." You should have known that while this government has always and at all hazards exacted the respect due to its flag abroad, it has always as faithfully respected the flag of every other nation, weak or powerful; and it can no more countenance your forcible intrusion on board the merchant vessel of a friendly nation than it could submit quietly to a similar proceeding on the part of a foreign naval commander with regard to an American vessel.

I am, respectfully, your obedient servant,

GIDEON WELLES,
Secretary of the Navy.

Commander GEO. M. COLVOCORESSES,
Commanding United States ship St. Mary's.

Sir F. Bruce to Mr. Seward.

[Extract.]

WASHINGTON, *August* 9, 1865.

SIR: With reference to your note of the 2d of June, relative to a scheme to introduce yellow fever into New York and other northern cities, I have the honor to state that I forwarded the same with its enclosures to the lieutenant governor of Bermuda.

I now enclose a copy of a communication from the lieutenant governor, embodying the conclusion arrived at by the attorney general of Bermuda after an inquiry based on the statement made by Matilda Swan and Frederick Buxtorf.

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I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Lieutenant Governor Hamley to Sir F. Bruce.

BERMUDA, *August* 1, 1865.

SIR: I have the honor to acknowledge the receipt of your excellency's letter of the 3d of June, with enclosure received by you from the Acting Secretary of State of the United States, relative to an infamous attempt to introduce yellow fever into New York and other northern cities, and to inform you, in reply, that on receipt of the papers I immediately placed them in the hands of the attorney general of the colony, with instructions to inquire searchingly into the matter, and to take such action as the result of the inquiry might warrant for bringing to justice persons implicated by evidence.

I enclose a copy of his report on the subject, which shows that no evidence, capable of sustaining a charge under the above head, appears to be forthcoming against the barber Rainey, or any other person in Bermuda.

I have, &c.,

W. G. HAMLEY,
Lieut. Governor and Commander-in-Chief.

Hon. SIR FREDERICK BRUCE, *G. C. B.*

Attorney General Gray to Lieutenant Governor Hamley.

HAMILTON, BERMUDA, *July* 18, 1865.

SIR: I have the honor to return your excellency the documents named in the margin, relating to certain statements made by Frederick Buxtorf and Matilda Swan, before the police authorities in the city of New York, on the 29th of May last, concerning the alleged complicity of one Rainey, a barber at St. George's, in the nefarious plot attributed to Dr. Blackburn, of attempting to introduce yellow fever into certain cities in the United States.

Matilda Swan left Bermuda with Frederick Buxtorf for New York, while her husband was lying in jail awaiting his sentence, Buxtorf's testimony having contributed to place him in that predicament. Buxtorf and Swan's wife arrived in New York on the 25th of May, and on the 29th of the same month Mrs. Swan stated that a few days before leaving Bermuda, while boarding at the Telford hotel, she heard the cook, a negro woman, say to a Mrs. Emery that if she, the cook, had been called, she would have exposed the whole matter, and that a man named Rainey, a colored barber, was the man whom Dr. Blackburn had employed to take the trunks of infected clothing to New York.

In compliance with your instructions I have investigated this matter, and I have now to inform your excellency that, as far as I can learn, there is no truth in Matilda Swan's statement.

The cook at Mrs. Telford's tavern or hotel is named Maria Astwood. On my inquiring of her what she knew about the circumstances, she assured me that she knew nothing whatever about them, except what she had heard from Matilda Swan and Frederick Buxtorf when they were boarding in the house, and from conversations between those two persons and

others about the time when Matilda Swan's husband was under trial. On my inquiring whether she knew anything about Rainey, she said she knew nothing about him except from hearing his name mentioned by Mrs. Swan and others.

I asked Maria Astwood as to any conversation having passed between her and Mrs. Emery, when Mrs. Swan was staying at Mrs. Telford's, relating to these matters.

She replied that there was plenty of conversation on the subject, and Mrs. Emery (who was a witness on Swan's trial) was sometimes at Mrs. Telford's about the time of the trial, but she herself had said nothing to Mrs. Emery about Rainey, as she knew nothing about him.

She remembered, however, having heard a woman named Sarah Williams, formerly a cook at the Hamilton hotel, have some talk with Mrs. Emery one day at Mrs. Telford's hotel, about the man Rainey, but not to the effect stated by Matilda Swan on the 29th May at New York.

From Maria Astwood's frank and unembarrassed manner of expressing herself, I concluded that she was telling the plain truth, and from what I have heard and seen, I apprehend that, if a question of veracity should be raised between her and Matilda Swan, no jury in Bermuda would hesitate to credit the former.

Pursuing the inquiry I next called on Sarah Williams, and from her I heard that she had never made any such statement as that imputed by Mrs. Swan to the cook at Mrs. Telford's hotel, nor had any such statement been made in her hearing. She lived at the Hamilton hotel when Rainey was sent for to take charge of the barber's shop, and subsequently when he took charge of the bar.

She was also there when Dr. Blackburn and Rainey went away to Halifax, and she had heard that Blackburn treated Rainey very kindly, and paid his passage to Halifax; but she had never heard or said that Dr. Blackburn had employed Rainey to convey to the States any trunks or articles whatever.

Sarah Williams remembered having conversed with Mrs. Emery and other persons on this business at Mrs. Telford's, at a time when it was a general subject of conversation, namely, while Swan was on his trial.

Lastly I called on Mrs. Emery, and having called her attention to the time and place of the alleged conversation, I was informed by her that she had never heard Maria Astwood or Sarah Williams, or anybody else, say that Dr. Blackburn had employed Rainey to take trunks or other things to New York.

She had heard Sarah Williams say one day at Mrs. Telford's, while the trial was going on, that she (Williams) wondered how Rainey could have turned so much against Dr. Blackburn—referring to Rainey's testimony on the trial of Swan—as the doctor had been so kind to him.

This being the result of my investigation, I can have no hesitation in informing your excellency that it affords no ground whatever for suspecting Rainey of complicity in this plot, much less for preferring any charge against him.

Rainey gave his evidence on Swan's trial with every outward indication of sincerity and truthfulness. Indeed, every one was struck with its apparent reliability. He exhibited neither haste nor hesitation, neither reticence nor zeal. His story may not have been true, but it certainly had all the external features of truth.

On the other hand, neither Buxtorf, who was examined as a witness, nor Matilda Swan, who was not, would be likely, either from their antecedents or from their manner, or from what was generally understood to be their relation the one to the other, to command the respect or confidence of any Bermuda jury.

I should be exceedingly unwilling, after all I have seen and heard of both since Swan was first put upon his trial, to rest any charge of a criminal nature, far less an accusation of the very grave kind now under consideration, on such testimony as theirs.

In the New York Herald of the 6th June appeared a statement relative to Swan's trial, apparently based on information furnished by Frederick Buxtorf, so scandalously untrue that, if it could be traced home to him, I could never venture to ask a jury to believe him.

From information obtained here I conclude that Matilda Swan is equally untrustworthy, as I am credibly informed that her character for veracity is very much on a par with her reputation in other respects.

Your excellency is aware that no pains would be spared here to bring to condign punishment any and every offender found within our jurisdiction, who could be proved to have taken part in a scheme of such unexampled wickedness, as far as the law would reach the case. But it does not appear to me that we are in possession of any testimony whatever which would warrant our preferring any such charge against the man Rainey named in this correspondence.

I am the more disinclined to believe Matilda Swan's statement, since hearing what Maria Astwood and Sarah Williams both assert to the contrary, inasmuch as the statement implies that, whichever of these women it was who made the remarks which Mrs. Swan imputes to the former, she was anxious when called on *to expose the whole matter*.

Now I am so far from finding either of them anxious or willing when called on to expose the matter as represented by Matilda Swan, that both of them unhesitatingly and perseveringly deny knowing anything about it, and I can see no reason why either of them should have been so anxious in May to expose what in July they solemnly declare they know nothing about.

My office is within a stone's throw of the spot where the conversation is represented to have been held; and what would have been easier than for either of the women to inform me that she could give material evidence, or what more natural than for Matilda Swan, who placed herself in communication with me on the business referred to, to let me know that there was so near me a witness so important?

I have, &c.,

S. BROWNLOW GRAY,
Attorney General.

His Excellency Lieut. Governor HAMLEY, *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

WASHINGTON, *August* 9, 1865.

SIR: As I had the honor to inform you in my reply of the 3d July, I transmitted a copy of your note of the 1st ultimo to her Majesty's principal secretary of state for foreign affairs.

I have now received instructions to express to you the sense entertained by her Majesty's government of the friendly tone which characterizes that communication.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, August 9, 1865.

SIR: Referring to the previous correspondence which has passed between her Majesty's legation and this department, relative to the British schooner James Douglas, which vessel was picked up at sea by the United States steamer Monticello, and carried into the port of Beaufort, North Carolina, I now have the honor to transmit a copy of a report of the 28th ultimo upon the subject, made to the Secretary of the Navy by Lieutenant William C. West, commanding the naval station at Beaufort, from which it appears that instructions have been given to that officer by Admiral Porter to deliver the James Douglas to her owners, provided there shall be no demand for compensation for such use as may have been made of that vessel while remaining at the above-named port.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT,
Washington, August 8, 1865.

SIR: Referring to a communication from this department to the Secretary of State, December 31, 1864, I have the honor to enclose herewith a copy of a report from the officer at present in command of the naval station at Beaufort, North Carolina, in relation to the schooner James Douglas.

Lieutenant Commander West will be instructed to permit the owner, or his agent, to remove or dispose of the vessel.

I am, respectfully, your obedient servant,

GIDEON WELLES,
Secretary of the Navy.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Lieutenant West to Mr. Welles.

NAVAL STATION,
Beaufort, N. C., July 28, 1865.

SIR: The dismasted schooner Douglas, which was picked up at sea, abandoned, by the United States steamer Monticello, is still lying here. I have received instructions from Admiral D. D. Porter to deliver her to her owners, upon condition of their not demanding compensation for any use which she may have been put to while lying here. No application has as yet been made for her delivery, and I respectfully request directions as to what disposition shall be made of her on the breaking up of this station.

Very respectfully, your obedient servant,

WILLIAM C. WEST,
Lieutenant Commander, Commanding Naval Station.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.

Sir F. Bruce to Mr. Seward.

WASHINGTON, *August* 10, 1865.

SIR: I had the honor, on June 10th, to express the anxiety felt by my government to obtain the assistance of the cruisers of the United States in putting down the slave trade, and their hope that the time had arrived when the treaty of July, 1862, in this respect, might be carried into effect.

Your reply, while expressing a desire to postpone the consideration of this subject for reasons the justice of which were only too evident, encouraged me to bring the proposal again to your notice, now that I understand you can entertain it without inconvenience.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, August 12, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 10th instant, renewing a proposal which you did me the honor to make on the 10th of June last, on behalf of her Britannic Majesty's government, to obtain the cooperation of the cruisers of the United States in putting down the slave trade. In reply, I have the honor to state that a copy of your note has been submitted to the Secretary of the Navy, and I have recommended to that officer the adoption of the proper measures to carry into effect the treaty of 1862 in this respect.

The kindly motive which induced you to forbear pressing this proposition at an earlier day is thankfully appreciated.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, August 15, 1865.

SIR: The note of the 25th of July last, in which you inform me that the chargé d'affaires of Hayti has requested her Majesty's government to concur in guaranteeing the neutrality of the peninsula of Samana, and that he appears to suppose that the government of the United States might not be disinclined to concur, has been received.

Having taken the instructions of the President, I have now to state, for the information of her Majesty's government, that the government of the United States are sincerely desirous that the entire island of Hayti may now and henceforth remain subject exclusively to the government and jurisdiction of the people who are the dwellers and occupants thereof, and that they may never be dispossessed or disturbed by any foreign state or nation whatever. This desire is increased rather than diminished by the fact that the inhabitants of people have chiefly derived their descent from former African slaves. The United States sincerely hope that the people of St. Domingo may be able, by the exercise of independent sovereignty, to elevate themselves and contribute beneficently to the elevation of that hitherto unfortunate and injured race. The question, however, which is submitted in your note could never have been propounded at all by the government of Hayti if that government had not in some degree apprehended an inability on the part of the occupants of the island to maintain the sovereignty and independence desired. I admit that if the United States were to allow themselves to consider these apprehensions well founded, that then the United States, from reasons derived from proximity of territory and political sympathies and interests, might not only be very much indisposed to see the peninsula of Samana pass into the hands of any foreign state, but that in that case the United States would deem themselves justified in considering whether they would not be authorized to seek to bring the peninsula within their own jurisdiction by just, lawful, and peaceful means. But the United States do not desire nor do they think it expedient to anticipate or apprehend a failure of the inhabitants and people of St. Domingo to maintain their proper sovereignty and independence, and therefore they do not contemplate in any case any proceedings to gain any possession of or control within the island.

It is not deemed unreasonable on the part of the government of Hayti that it should ask leading maritime states to guarantee their sovereignty over Samana. The government of Hayti very properly consults the United States government with reference to such a guarantee. The President is gratified, also, that the Haytien government has submitted its views in a proper spirit to Great Britain. Nevertheless, the question unavoidably calls up that ancient and settled policy of the United States which disinclines them to the constituting of political alliances with foreign states, and especially disinclines them to engagements with foreign states in regard to subjects which do not fall within the range of necessary and immediate domestic legislation. This policy would oblige the United States to refrain from making such a guarantee as Hayti desires; but disclaiming for themselves all purpose or desire to disturb the peace and security of Hayti, the United States would be gratified if Great Britain and other maritime states should see fit to regard the wishes of the government of Hayti in the same spirit of justice and magnanimity.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM. H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

WASHINGTON, *August* 19, 1865.

SIR: I have the honor to inform you that I forwarded to her Majesty's principal secretary of state for foreign affairs a copy of the note addressed to me by the Acting Secretary of State on the 16th of June, cancelling the notice previously given respecting naval armaments on the lakes.

Her Majesty's government has instructed me, while expressing the satisfaction with which that note is received, to state that they understand thereby that the notice abrogating the agreement contained in the convention of 1817, limiting naval armaments on the lakes, is absolutely withdrawn, and that the convention of 1817 will continue in force unless it shall be hereafter terminated by a fresh six months' notice, to be given by either of the parties thereto.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, August 22, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 19th instant, informing me "that her Majesty's government understand that the notice abrogating the agreement contained in the convention of 1817, limiting naval armaments on the lakes, is absolutely witdrawn, and that the convention of 1817 will continue in force unless it should be hereafter terminated by a fresh six months' notice, to be given by either of the parties thereto."

In reply, I have the honor to inform you that the statement of her Majesty's government is accepted as a correct interpretation of the intention in this matter of the government of the United States.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, &c., &c., &c.

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, September 19, 1865.

SIR: I have the honor to inform you that I have been officially apprised that the Canadian authorities have paid to the banks at St. Albans, in the State of Vermont, thirty-nine thousand five hundred and twelve dollars and seventy-five cents in gold, and thirty thousand and ten dollars in bank notes, in compliance with an act of the Canadian parliament, on account of the amount deposited with the authorities of that province upon the arrest of the St. Albans marauders.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, &c., &c., &c.

Sir F. Bruce to Mr. Seward.

WASHINGTON, *September* 22, 1865.

SIR: I transmitted to her Majesty's government copy of the note you did me the honor to address to me, informing me that you had recommended to the Secretary of the Navy of the United States the adoption of proper measures to carry into effect the treaty of 1862 for the suppression of the slave trade.

I am instructed to express, in reply, the satisfaction felt by her Majesty's government on receipt of this intelligence.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, October 2, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 22d ultimo, informing me of the satisfaction felt by her Majesty's government with the proceedings of this government to carry into effect the treaty of 1862 for the suppression of the slave trade, and inform you, in reply, that I have communicated the approval of your government to the Secretary of the Navy.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *October* 23, 1865.

SIR: In accordance with instructions which I have received from her Majesty's principal secretary of state for foreign affairs, I have the honor to transmit to you herewith, for the information of the government of the United States, two addresses* from the legislative council and assembly of Victoria, Australia, to her Majesty the Queen, on receipt of the intelligence of the assassination of the late President Lincoln.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Sir F. Bruce to Mr. Hunter.

WASHINGTON, *October* 23, 1865.

SIR: In accordance with instructions which I have received from her Majesty's principal secretary of state for foreign affairs, I have the honor to transmit to you an address of condolence* to the honorable Mrs. Lincoln from the

*See Appendix, separate volume.

municipal council of Sydney, and to request you to have the goodness to forward the same to its destination.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, October 25, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 23d instant, together with two addresses to her Majesty the Queen from the legislative council and assembly of Victoria, Australia, inspired by the assassination of the late President Lincoln, and to inform you, in reply, that the expressions of sympathy therein contained are gratefully received by the government of the United States.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Hunter to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, October 25, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 23d instant, and its accompanying packet, containing an address of condolence to Mrs. Lincoln from the municipal council of Sydney. In reply, I have the honor to inform you that it will give me pleasure to comply with your request by forwarding the communication to its destination.

I have the honor to be, with the highest consideration, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

WASHINGTON, *October* 30, 1865.

SIR: I have the honor to enclose copy of a letter addressed by her Majesty's principal secretary of state for foreign affairs to the admiralty and other departments of her Majesty's government, directing that all measures of a restrictive nature on vessels-of-war of the United States in British ports, harbors, or waters are now to be considered at an end; and apprising them that it is the desire and intention of her Majesty's government that the most unrestricted hospitality and friendship should be shown to vessels-of-war of the United States in all her Majesty's ports, whether at home or abroad.

I am at the same time instructed to assure you of the satisfaction which her Majesty's government have felt in issuing these orders to her Majesty's authorities.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Earl Russell to the Lords Commissioners of the Admiralty.

FOREIGN OFFICE, *October* 13, 1865.

MY LORDS: With reference to my letter of the 2d of June last, prescribing the course to be taken by her Majesty's several authorities in all ports, harbors, and waters belonging to her Majesty, whether in the United Kingdom or beyond the seas, in consequence of the recognition by her Majesty's government that peace was restored within the whole territory of which the United States of North America before the commencement of the civil war were in undisturbed possession; and with reference more particularly to that passage in my letter, in which it was laid down that confederate vessels departing, in pursuance of requisitions to be made by her Majesty's authorities, from any ports, harbors, and waters belonging to her Majesty, in which at the time of the receipt by those authorities of the fresh orders such vessels might be found, should then, and for the last time, have the full benefit of the prohibition theretofore enforced against pursuit of them within twenty-four hours by a cruiser of the United States lying at the time within any such ports, harbors, and waters, I have the honor to state to your lordships that her Majesty's government are of opinion that it is desirable that her Majesty's naval and other authorities at home, and in her Majesty's possessions abroad, should be formally apprised that, as full time has now elapsed since my letter of the 2d of June for giving effect to the provisions of that letter, all measures of a restrictive nature on vessels-of-war of the United States in British ports, harbors, or waters, are now to be considered as at an end, and that it is the desire and intention of her Majesty's government that unrestricted hospitality and friendship should be shown to vessels-of-war of the United States in all her Majesty's ports, whether at home or abroad.

I have addressed a similar letter to the secretaries of state for the colonial, home, and India offices, and also to the lords commissioners of her Majesty's treasury.

I am, &c., RUSSELL.

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, October 31, 1865.

SIR: I have the honor to acknowledge the receipt of your note of yesterday's date, enclosing a copy of a letter addressed by her Majesty's principal secretary of state for foreign affairs to the admiralty and other departments of her Majesty's government, directing that all measures of a restrictive nature on vessels-of-war of the United States in British ports, harbors, and waters, are now to be considered at an end, and apprising them that it is the desire and intention of her Majesty's government that the most unrestricted hospitality and friendship should be shown to vessels-of-war of the United States in all her Majesty's ports, whether at home or abroad. In reply, I have the honor to state that, having received through Mr. Adams a copy of the order referred to, I have instructed him to express to Earl Russell the satisfaction with which this government regards the action of her Britannic Majesty's government.

I have the honor to be, with high consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Sir F. Bruce to Mr. Seward.

WASHINGTON, *November* 3, 1865.

SIR: The attention of her Majesty's government has been called recently to the construction of several vessels prepared for the reception of a powerful armament, which are reported to be destined for service on the North American lakes.

In view of the convention which exists between the United States and Great Britain determining the armed force to be employed by the parties to it on the lakes, I am instructed to bring the subject under your notice and to request you to be good enough to furnish me with the explanations which it seems to require.

I have the honor to be, with the highest consideration, sir, your most obedient, humble servant,

FREDERICK W. A. BRUCE.

Hon. WILLIAM H. SEWARD.

Mr. Seward to Sir F. Bruce..

DEPARTMENT OF STATE,
Washington, November 4, 1865.

SIR: I have the honor to acknowledge the receipt of your note of yesterday, in which you inform me that the attention of her Majesty's government has been called recently to the construction of several vessels prepared for the reception of a powerful armament which are reported to be destined for service on the North American lakes, and that in view of the convention which exists between the United States and Great Britain determining the armed force to be employed by the parties to it on the lakes, you are instructed to bring the subject under my notice, and to request explanations.

I have the honor to inform you, in reply, that any vessels of the character referred to which may be in course of construction by the United States are intended exclusively for revenue purposes, and that their armament, if any, will not be allowed to exceed the limit stipulated in the conventional arrangements.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

Mr. Seward to Sir F. Bruce.

DEPARTMENT OF STATE,
Washington, November 27, 1865.

SIR: I have received information from the consul of the United States at Nassau of the presence in that port of certain steam vessels under so-called confederate register—namely, the Kate Gregg, the Coquette, and the General Clinch. The consul states that the Kate Gregg and the Coquette had been flying the English ensign for some time until the receiver general forbade it. It was supposed that the persons having charge of these vessels and others similarly situated might attempt to procure British registers. The receiver general said of the Kate Gregg that she was still under so-called confederate register, and that he should not of his own accord give her any other, unless instructed by the governor to do so.

I have the honor to inform you that the officers commanding cruisers of the United States have been instructed to capture any vessel found on the high seas which has belonged, or which there is probable evidence to suppose has belonged, to rebels.

I will thank you to cause her Majesty's provincial authorities to be informed of the course which it is proposed to pursue, in order that they may not unadvisedly attempt to give British registers to such vessels belonging to enemies of the United States, and so, if it be deemed desirable, they may prevent unnecessary embarrassment.

I have the honor to be, with the highest consideration, sir, your obedient servant,

WILLIAM H. SEWARD.

Hon. SIR FREDERICK W. A. BRUCE, *&c., &c., &c.*

FRANCE.

Mr. Dayton to Mr. Seward.

No. 566.] LEGATION OF THE UNITED STATES,
Paris, November 21, 1864.

SIR: I herewith enclose you the copy of a memorandum, received by me from a gentleman in Paris, showing that the confederates have recently given a very large order to the house of Silvee & Co., London, for insulated telegraphic wire. The information comes to him from one of the partners in the house, and is, I presume, reliable. The wire is intended for use in exploding torpedoes, or vessels filled with powder, beneath federal ships, and its delivery should be prevented, if possible. I will give this information to Mr. Morse, our consul at London, in the hope that he, through some of his agents there, may find out the name of the ship which carries it out, when, and to what port she sails.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[Memorandum.]

PARIS, *November* 19, 1864.

A large order for insulated telegraphic wire has been given by the confederates to Silvee & Co., London, with the intention of using it to explode torpedoes, or vessels filled with powder, beneath federal ships-of-war. The order is a very large one, and our agents should endeavor to prevent it arriving in a southern port.

Mr. Dayton to Mr. Seward.

No. 567.] LEGATION OF THE UNITED STATES,
Paris, November 25, 1864.

SIR: I enclose you a printed copy of a note recently addressed, it would seem, by the rebel commissioners abroad to Mr. Drouyn de Lhuys and to the other representatives of other courts in Europe. I know nothing of it, except from seeing it in print. My attention has not been called to it by Mr. Drouyn de Lhuys. The manifesto referred to you will doubtless recollect as an emission from the rebel Congress of last year; at least, I believe that was its date.

I have been much annoyed by the unfriendly spirit of the *government* press of France since the election. The Patrie, in its issue of yesterday, throws out the suggestion that, inasmuch as Mr. Lincoln will not receive the vote of a majority of the electors of all the States, it will not be possible to recognize him as the *President of the United States*. A conjoint effort of the English and, I am sorry to say, of the French press is being made to ward off the influence and effect of the late election. If there is anything in the English papers which seems calculated to belittle its consequences, and encourage the south to hold out in the hope of recognition, it is sure to be translated and copied into the

French journals. This is the case, I observe, with a piece from the London Press, (supposed to be Lord Palmerston's organ,) copied this morning into the Moniteur. But it is needless to trouble you with these things. I have referred to them only because I have been myself disappointed. The result of the election does not seem to have brought about that spirit of fairness which I had anticipated.

I am, sir, your obedient servant,

WM. L. DAYTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

The following collective note has been addressed to the French minister of foreign affairs by the diplomatic representatives of the confederate government in Europe. The note transmits an official copy of the manifesto of the congress of the Confederate States:

"PARIS, *November* 11, 1864.

"SIR: The undersigned, commissioners of the Confederate States of America, have the honor, in conformity with instructions from their government, to present to your excellency a copy of a manifesto published by the congress of the said States with the approbation of the president, who was requested to send copies to his commissioners abroad, in order that they might communicate them to the foreign governments. The undersigned communicate, at the same time, a copy of the preamble and of the resolutions of the congress annexed to the said manifesto.

"The feelings, the principles, and the views which have inspired and still inspire the Confederate States are set forth in this document with all the authority appertaining to the solemn declarations of the legislative and executive branches of their government, and with a clearness which leaves no room for either comment or explanations. It is therein declared, in a few words, that all they ask for is that there shall be no interference with their peace and internal prosperity, and that they may be allowed peaceably to enjoy their undeniable rights of life and liberty as well as that of laboring for their happiness.

"Those are rights which their common ancestors have declared to be equally the inheritance of all the parties who subscribed the social compact. Let the north cease to attack us, and the war will be at an end. If any questions exist which require to be settled by means of negotiations, the Confederate States have always been and still are disposed to enter into communication with their adversaries in a spirit of equity and of noble frankness, and to submit their cause to the enlightened judgment as well as the solemn and sacred arbitration of Heaven.

"The undersigned very respectfully solicit the attention of the government of his Imperial Majesty to this frank and complete explanation of the attitude and views of the Confederate States. They will, moreover, simply observe that since the publication of this manifesto our enemies have continued to make war with a recrudescence of ferocity, with a still more glaring contempt for all the laws of war between civilized nations, and by more audaciously violating the obligations of international law.

"After having thus fulfilled the instructions of their government, the undersigned tender to your excellency the expression of the sentiments of distinguished consideration with which they have the honor to be, your excellency, your humble and obedient servants,

"J. SLIDELL,
"J. M. MASON,
"A. DUDLEY MANN."

A similar document, with the necessary changes, has been presented to all the cabinets of Europe, Constantinople excepted. Mr. Slidell handed in person to M. Drouyn de Lhuys the above. Bishop Lynch will hand to the Pope the copy intended for him.

Mr. Pennington to Mr. Seward.

No. 1.] LEGATION OF THE UNITED STATES,
Paris, December 2, 1864.

SIR: I perform the painful duty of announcing to the Department of State the sudden death of the Hon. William L. Dayton, envoy extraordinary and minister plenipotentiary of the United States to France. Mr. Dayton expired yesterday evening at nine o'clock very suddenly of apoplexy.

I will be guided by my circular instruction, and will respectfully await further instructions from the department in reference to the performance of the functions of my office.

I hasten to communicate this sad event to the department.

I have the honor to be, very respectfully, your obedient servant,

W. S. PENNINGTON.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Pennington to Mr. Seward.

No. 2.] LEGATION OF THE UNITED STATES,
Paris, December 7, 1864.

SIR: In my despatch, No. 1, of Friday, December 2, I hurriedly communicated the melancholy fact of the sudden death of the Hon. Mr. Dayton. He was apparently quite well up to the time of his death, and died so calmly that the person sitting by his side did not think him dead but sleeping. His physician says nothing could have been done for him, it was positive apoplexy.

I communicated at once the sad event to the minister of foreign affairs, the *doyen* of the diplomatic corps at Paris, and to the grand master of ceremonies of his Majesty, the Emperor and Empress, through the Duc de Bassam, grand chamberlain to their Majesties, and to their Imperial Highnesses the Prince Napoleon and Princess Chlotilde, and her Imperial Highness the Princess Mathilde, through their respective aide-de-camp and chamberlains.

By authority from the Emperor suitable honors were paid to the remains of the minister of the United States to France, in addition to the religious service held over his remains in the American chapel in the city. The services at the chapel were conducted by the Rev. Mr. Sunderland, the pastor of the American chapel, assisted by the Rev. Mr. Cleveland, of Connecticut, and the American Mr. Lamson of the American Episcopal church at Paris. A few remarks were also made by Mr. Bigelow, our consul, and also by Mr. Laboulaye, member of the Institute of France. The Emperor had sent to represent him the Baron de Lajus, and Prince Napoleon, his aide-de-camp, Brigadier General de Franconnière, and the services were attended by his excellency Mr. Drouyn de Lhuys, the Duc of Cambacériès, grand master of ceremonies, the heads of the foreign missions and the members of all the diplomatic corps. The ceremonies gave general satisfaction, and also convincing proof of the estimation in which Mr. Dayton was held.

Enclosed I send you slips cut from the daily journals of Paris. His remains will be taken early next week to Havre, and will be escorted by several distinguished Americans living in Paris to that place, and leave for America in charge of Mr. Brooks, vice-consul of the United States at Paris, in the steamer Lafayette, which leaves Havre for New York on next Wednesday, the 14th instant. In accordance with my circular instructions, I have assumed the duties of chargé d'affaires of the United States, *ad interim*, and will be obliged if you will cause to be forwarded to me an authority to draw and appropriate the contingent fund of this legation, in the same manner as was allowed to Mr. Dayton.

I am, sir, your obedient servant,

W. S. PENNINGTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[From Galignani's Messenger of December 5, 1864.]

PARIS, *December* 5, 1864.

The lamented death of Mr. Dayton, the United States representative, is touched on by several of the Paris journals in terms of merited regret. The Constitutionnel says:

"Mr. Dayton was one of the most distinguished and enlightened men of the United States. From his courteous manner and his always well-chosen and measured language, every one could recognize in him a diplomatist who had followed the good traditions bequeathed by the first generation of statesmen of the American republic."

The Patrie, which had always supported the confederate cause, is not less warm in its appreciation:

"Our political differences," it observes, "do not prevent us from joining with the Unionists in their regret for the death of the able diplomatist, as well as honest man and perfect gentlemen, whom their cause has just lost. In the difficult circumstances in which his country was placed, Mr. Dayton never departed from the dignity becoming a diplomatist. Being obliged to make himself the echo of the haughty and sometimes excessive exigencies of Mr. Seward, Mr. Dayton found means to mitigate their harshness, and thus to neutralize the just influence which the confederate representatives had acquired in Europe. Mr. Dayton was personally known to the Emperor Napoleon III, whom he frequently met during his residence in the State of New Jersey."

The subjoined passage is from the Opinion Nationale:

"The honorable gentleman fulfilled his diplomatic functions with a rectitude and tact which procured him the esteem of even his political adversaries; and assuredly he had to take an active part in a whole series of important and delicate questions. It will suffice to mention the affair of the Trent; the repeated visits of the confederate war vessels in ports of France; the different phases of the Mexican expedition; the offers of European mediation rejected by the United States; and the building of war vessels for the south at Nantes and Bordeaux. In all those difficult circumstances he always had a safe rule of conduct, an infallible guide—political probity."

The public funeral services of his excellency the Hon. William Lewis Dayton, late ambassador extraordinary and minister plenipotentiary at the court of the Tuileries, will be solemnized at the American Chapel in the Rue de Berry this day at two o'clock in the afternoon. The funeral cortége will proceed from the hotel of the legation, Rue de Presbourg, Champs Elysées, to the chapel, and after the service the body will be taken to the Western Railway to be conveyed to Havre, on its way to the United States.

[From Galignani's Messenger of December 7, 1864.]

The funeral service for the late Mr. Dayton was celebrated yesterday afternoon at the American chapel in the Rue de Berry, as announced, in presence of a great concourse of persons, the building and approaches to it being thronged. The Emperor was represented by Baron de Lajus, master of the ceremonies, the Duke de Cambacérès, and Count de Baciocchi; and Prince Napoleon by General de Franconnière. M. Drouyn de Lhuys, minister of foreign affairs, Lord Cowley, and the other members of the diplomatic body, were all in attendance with the principal members of their legations. The coffin was placed on the communion-table and covered with the United States flag, which in its turn was partly concealed by wreaths and flowers placed there by the friends of the deceased. All the principal citizens of the United States now in Paris were present, as well as a number of Americans of the south. Near Mr. Dayton, son of the deceased diplomatist, were to be seen Mr. Pennington, secretary of legation; Mr. Bigelow, American consul; Mr. Aspinwall, of New York, and a great number of political and literary men of France. A detachment of the 65th regiment lined the interior of the chapel. The service for the dead was read by the Rev. Mr. Lamson, after which an address appropriate to the occasion was delivered by the Rev. Mr. Sunderland, who, after touching on the early career and distinguished services of the deceased, referred to the events now in progress beyond the Atlantic, and declared that the United States government was resolved to maintain the struggle to the last. Mr. Bigelow and M. Laboulaye also spoke, after which the crowd withdrew in silence.

Mr. Pennington to Mr. Seward.

[Extract.]

No. 3.] LEGATION OF THE UNITED STATES,
Paris, December 7, 1864.

SIR: I promptly announced to the minister of foreign affairs the death of the Hon. Mr. Dayton, and I have received a reply to my communication. I here-

with enclose a copy of my note, and the minister's reply. I am sure the department will be gratified to read this testimonial of the Emperor's government of the high consideration in which the late minister of the United States was held, as well as the kind terms in which the minister of foreign affairs has been pleased to express his personal affliction.

* * * * * * * * *

I have the honor to be, very respectfully, your obedient servant,

W. S. PENNINGTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Pennington to Mr. Drouyn de Lhuys.

PARIS, *December* 2, 1864.

MONSIEUR LE MINISTRE: I have to communicate to your excellency the painful intelligence of the death of the Hon. William L. Dayton, envoy extraordinary and minister plenipotentiary of the United States in France. This event occurred last evening at nine o'clock, after an illness of a few minutes.

I have the honor to present to your excellency assurances of my high consideration.

Your obedient servant, &c.,

WILLIAM S. PENNINGTON.

M. DROUYN DE LHUYS,
Minister of Foreign Affairs, Paris.

Mr. Drouyn de Lhuys to Mr. Pennington.

[Translation.]

PARIS, *December* 3, 1864.

SIR: The information which you have done me the honor to communicate to me, of the decease of the Hon. William L. Dayton, envoy extraordinary and minister plenipotentiary of the United States of America at Paris, has caused me a keen and deep affliction. I hastened to inform the Emperor of the sad event, which nothing could have foreseen. His Majesty has felt it only the more since he bore a particular esteem for this minister. For my part, I have been able to appreciate personally the qualities, the talents, and the experience of Mr. Dayton, and I make it a duty to express here the sincere regrets which his loss has caused.

Receive, sir, the assurances of the most distinguished consideration with which I have the honor to be, your very humble and very obedient servant,

DROUYN DE LHUYS.

Mon. W. S. PENNINGTON,
First Secretary of the Legation of the United States of America.

Mr. Seward to Mr. Dayton.

No. 724.] DEPARTMENT OF STATE,
Washington, December 17, 1864.

SIR: I have the honor to acknowledge the receipt of your despatch of November 25th, No. 567, with its accompaniment, namely, what is called a collec tive note, addressed by John Slidell, James M. Mason, and A. Dudley Mann to the government of France and all the other European states, except Turkey. It has about equal value with the similar emissions which an eccentric countryman, William Cornwell Jewett, conveys to the European sovereigns through the public press. I think the Sultan of Turkey is to be felicitated upon the frankness and loyalty which have secured him against insurgent persecutions affecting the form of diplomacy.

I have not failed to notice your complaint against the unfriendly spirit of what is called the government press of France and of Great Britain. To re-

lieve any anxiety which that hostility excites it will be sufficient for you to know that the number of newspapers of every sort in the insurgent region is thirty-eight, which is not double the number of prints published in each of the several congressional districts of the loyal States. Thank God, therefore, and take courage, for though our enemies grow more inveterate abroad, they are rapidly diminishing in numbers, at least, at home.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

WILLIAM L. DAYTON, Esq., *&c., &c., &c.*

Mr. Pennington to Mr. Seward.

No. 7.] LEGATION OF THE UNITED STATES,
Paris, December 20, 1864.

SIR: Upon the receipt of your despatch No. 708, requesting this legation to forward to your department a copy of a late treaty between France and Japan, a communication was addressed to Mr. Drouyn de Lhuys with a view to complying with the request.

An answer has just been received, stating in substance that there has been no late treaty entered into between France and Japan, although the subject was discussed when the Japanese ambassadors were in Paris.

I herewith enclose a translation of Mr. Drouyn de Lhuys' answer.

I am, sir, your obedient servant,

W. S. PENNINGTON.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Drouyn de Lhuys to Mr. Pennington.

[Translation.]

PARIS, *December* 19, 1864.

SIR: At the time the envoys of the Tycoon were in Paris, preliminary discussions (pour parlers) took place, in effect, with them, upon the subject of the pending questions, but these preliminary discussions have had no result. The events which have just taken place in Japan, and in which your government has participated, have created for all a completely new situation, the development of which, it seems to me, we can but wait.

Receive, sir, the assurances of the most distinguished consideration with which I have the honor to be, your very humble and very obedient servant,

DROUYN DE LHUYS.

W. S. PENNINGTON, Esq.,
Chargé d'Affaires of the United States, &c., Paris.

Mr. Seward to Mr. Bigelow.

No. 1.] DEPARTMENT OF STATE,
Washington, December 22, 1864.

SIR: I have received your despatch of the 2d of December, which was written upon the lamentable occasion of the sudden decease of our minister plenipotentiary, the late William L. Dayton, esq. That event is regarded by the President with profound grief and sorrow. The public character of the deceased, together with the gratitude of the government and people of the United States for faithful and important services at a critical period of our national life, will be an inestimable inheritance for his bereaved and afflicted family and kindred.

It is thought expedient that you should assume the care of the legation as

chargé d'affaires *ad interim*, until the vacancy in the mission shall be filled by appointment of a minister plenipotentiary, by and with the advice and consent of the Senate. A letter of credence is herewith sent you. You will make such a temporary appointment of consul as your judgment shall approve, and will report thereon to this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pennington.

DEPARTMENT OF STATE,
Washington, December 23, 1864.

SIR: I have received your despatch of the 2d instant, No. 1, announcing to this department the sudden death of the Hon. William L. Dayton, minister resident of the United States at Paris.

You are instructed to commit the archives of the legation to J. Bigelow, esq., late the United States consul at Paris, who has been appointed chargé d'affaires *ad interim*.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

W. S. PENNINGTON, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 3.] DEPARTMENT OF STATE,
Washington, December 24, 1864.

SIR: Referring to my instruction No. 1, enclosing your commission as chargé d'affaires *ad interim* to France, and your credential letter, I have to observe that you will find in the records of the legation personal instructions which will be sufficient for your guidance. No special instructions are deemed necessary at present for a gentleman so conversant with the relations between the two countries as yourself.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 5.] DEPARTMENT OF STATE,
Washington, December 26, 1864.

SIR: Mr. Pennington's despatch of the 7th of December, No. 2, has been received, and I have read with mingled emotions of sorrow and pride the description it gives of the tributes so worthily paid in Paris by the government of the Emperor and the foreign legations, and the press of the metropolis, to the memory of William L. Dayton, esq., our late minister to France.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 6.] DEPARTMENT OF STATE,
Washington, December 27, 1864.

SIR: Mr. Pennington's despatch of the 7th, No. 3, has been received, and I perform an agreeable duty in approving of the communication he made to the imperial government on the occasion of the death of Mr. Dayton, and in making known to you that the President is highly gratified with the friendly and sympathetic manner in which Mr. Drouyn de Lhuys accepted the intelligence of that event, so deeply deplored by the government and people of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 9.] DEPARTMENT OF STATE,
Washington, December 29, 1864.

SIR: On the 30th ultimo, and on the 7th instant, our consul at Nantes informed this department of suspicious circumstances in regard to the iron-clad vessels Shanghai and San Francisco, which he has reported to the legation at Paris. I will thank you to give your attention to the matter, and to take such steps as may, in your judgment, be expedient, towards preventing these vessels from falling into the hands of the insurgents.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Pennington to Mr. Seward.

[Extract.]

No. 9.] LEGATION OF THE UNITED STATES,
Paris, December 30, 1864.

SIR: I had the honor of an interview yesterday with M. Drouyn de Lhuys for the purpose of ascertaining if there were any unfinished matters between Mr. Dayton and the minister of foreign affairs. I find there was nothing; and after leaving a copy of your despatch asking for some more copies of the report of the returns of the railroads on the continent for 1861 and 1862, the conversation turned upon the sudden death of Mr. Dayton, Mr. Drouyn de Lhuys dwelling upon the high estimation in which he was held, not only by himself, but by all the corps diplomatic.

Our last telegraphic news has changed the tone of the foreign press very much, and also the sentiments of the people. The journals of Great Britain and France have almost universally predicted the destruction of General Sherman in his retreat from Atlanta, as they call it.

* * * * * * * * *

I have the honor to be your obedient servant,

W. S. PENNINGTON.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 10.] DEPARTMENT OF STATE,
Washington, December 31, 1864.

SIR: I have to acknowledge the receipt of despatch No. 556, from the late William L. Dayton, esq., relative to the arrangment made by an agent of the insurgents with the house of Silvee & Co., of London, to furnish the insurgents a quantity of insulated telegraphic wire, to be used in exploding torpedoes and vessels filled with powder under United States ships-of-war.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq.

Mr. Bigelow to Mr. Seward.

No. 7.] LEGATION OF THE UNITED STATES,
Paris, January 20, 1865.

SIR: Your despatches, Nos. 9 to 15 inclusive, have been received.

Referring to your despatch No. 9, I have the honor to inform you that both the iron-clad vessels referred to by you, the Shanghai and the San Francisco, have been purchased and equipped for the Peruvian navy, and have both sailed under orders of the Peruvian government.

I had this, yesterday, from the lips of Mr. Barreda, the Peruvian minister, who also informed me that the San Francisco sailed under the French flag for England, where she is expected to take departure as a Peruvian vessel.

She left the French port fully armed. Our consul at Nantes informs me that her coals were to be sent to her at Quiberon bay. I may here mention that the Peruvian government is now in treaty for another vessel built, at Glasgow, for the confederate navy. The negotiation is depending only upon the news to come from America, which may render the difficulties of taking her out under the Peruvian flag insurmountable.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to Mr. Seward.

No. 9.] LEGATION OF THE UNITED STATES,
Paris, January 23, 1865.

SIR: Some months since I was requested to ascertain what, if any, penal sanction attached to an oath of a French citizen, administered by a consular officer of the United States. I procured and communicated to you the verbal opinion of the *procureur* imperial, which was to the effect that the laws of France did not regard false swearing in such cases as perjury.

I have now the honor to enclose a written opinion upon the subject which differs so widely from the received opinion of the French law in the United States as to deserve publicity, especially among the members of the legal profession. Some commissions were recently sent to this consulate from California to take testimony in a large number of suits to which the United States government was a party.

The witnesses to be examined were all Frenchmen, and there was reason to

apprehend that it was the intention of the parties who sued out the commission to make up in the quantity of the testimony what it might lack in quality. Under my advice, Mr. Farwell, United States naval officer at San Francisco, and special agent for the government here, applied to Mr. Berryer to know precisely what degree of value the laws of France attached to the oaths of French citizens administered by a consular agent, and in what way, if any, the testimony of a French citizen taken in France could be made available in a suit pending in the United States.

Enclosed please find Mr. Farwell's letter and the opinion of Mr. Berreyer, which, if it required any support, I may say has been confirmed out of the mouths of several French lawyers with whom I have conversed upon the subject, none of whom seemed to entertain any doubt upon the subject.

By this opinion it appears not only that no penalties attach to the false testimony of a witness, sworn before the representation of a foreign government, which can be enforced by the French tribunals, but that even letters rogatory from an American to a French tribunal for the examination of a witness are executed as a matter of courtesy only, the tribunal not professing any control whatever over the witnesses after their testimony had been delivered.

The original of this opinion will be placed on file at the Paris consulate.

Yours, very respectfully,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Farwell to Mr Berreyer.

CONSULATE OF THE UNITED STATES,
Paris, January 5, 1865.

SIR: It is proposed to take in France the testimony of certain witnesses who are citizens of and who reside in France, to be read as evidence in certain suits at law pending in the federal courts of the United States at New York and San Francisco, in which suits the government of the United States is plaintiff. For this purpose commissions have been issued by the courts, directed to certain consular officers of the United States residing in France, requiring them to take the testimony of the witnesses upon their oaths, and to return the same in writing to the courts aforesaid.

It is important to ascertain, before incurring the labor and expense of executing these commissions, whether the oath which these consular officers are required to administer to the witnesses will or will not be binding upon them by the law of France; and if, by the French law, these witnesses will be liable as for perjury, should any of them speak falsely in reply to questions propounded to them upon this examination.

I respectfully request that you will state your opinion upon these questions in writing, citing such laws and decisions as bear upon them.

Be good enough to inform me in what manner the testimony of witnesses may be legally taken in France, to be read as evidence in the courts of the countries, so that in case it shall be made to appear that such testimony is false, the witnesses so giving the same can be punished in France for perjury.

Very respectfully, yours, &c.,

B. FARWELL.
Agent United States Treasury Department.

Mr. BERREYER.

OPINION.

[Translation.]

The undersigned ancien avocat is of the opinion—

That the testimony of French subjects residing in France, intended to be used as evidence in a suit pending out of France, may be taken either by consular agents of the country where the suit is pending, or by a French tribunal in virtue of letters rogatory, emanating from a foreign tribunal having jurisdiction of the case;

That whatever may be the mode adopted for receiving the depositions of witnesses, these

depositions cannot be in France pursued as laying the foundation for the crime of perjury, provided for and punished by the articles 361, 262, 363, 364, 365, and 366, of the penal code:

That the provisions of these articles of the code only affect depositions taken in a civil or criminal suit pending in France;

That the taking of testimony by a foreign consular agent accredited in France, but only delegated by foreign jurisdiction to receive the declarations of witnesses, cannot be considered as constituting a criminal or civil suit pending in France; it is but a step of the proceedings taken before foreign tribunals, of which the consular agent is the delegate or auxiliary, and it is no more the part of the French tribunals to know the consequences of this delegation than to know any other acts of the foreign procedure;

That the depositions received by the French tribunals in virtue of letters rogatory, emanating from a foreign tribunal and transmitted by the competent authority, do not constitute a suit pending before the French tribunals;

That the execution given to this commission is neither prescribed nor regulated by any law, and is in reality only a simple act of courtesy, conformable to international usages, and in no way divesting the foreign judicial authority originally having jurisdiction;

That, furthermore, the article 361, &c., of the penal code, only affect the depositions made in a criminal matter, or case of misdemeanor, in so far as they may be offered in evidence in the oral debates, and do not conflict with the depositions received during the trial.—(Cassation, April 26, 1816; September 14, 1826; April 19, 1839; July 22, 1843.)

That from that time, and under the circumstances hereafter indicated, the American government would not be permitted to prosecute for perjury before the French tribunals, but in virtue of the general terms of the article 1,382 of the civil code, according to which *every act of man which causes another an injury obliges him by whose fault it happened to repair it*, the American government, after having judicially established the fact of perjury, could show the prejudice to it resulting therefrom, morally and materially, could pursue before the tribunals of France the French person who caused this injury, and cause him to be condemned to make reparation.

BERRYER, *Ancien Batonnier.*

Deliberated at Paris, January 9, 1865.

Mr. Bigelow to Mr. Seward.

No. 11.] LEGATION OF THE UNITED STATES,
Paris, January 27, 1865.

SIR: Colonel de Chanal, a French officer, who had been sent by his government on a tour of observation to the United States, returned about a month ago, after a sojourn in our country of some eight months. A few evenings since he gave me, at great length, the impressions he had formed, and was communicating to his government. Some of these impressions, as they will have their influences in shaping public opinion here, seem worthy of being reported to you.

The colonel is confident that all military operations, on a large scale, will be at an end before the close of the coming summer. He entertains no doubt of the triumph of the north, and appears to have formed a less exalted opinion of the strategy and military skill of the insurgent officers than prevails generally in Europe, or perhaps in America.

I mentioned the report that the south were agitating the expediency of arming their slaves, and asked if he thought negroes would make good soldiers; if so, whether their freedmen would fight against the north; and, if so, how much strength the insurgents could realize from that source.

The colonel said he was quite satisfied that negroes made good soldiers; he spoke of a couple of regiments paraded before him by General Butler, after a three months' drill, and who went through their manuœvres, he thought, as well as French soldiers usually did after a year's drilling. He inclined to think they might sometimes cow a little in the presence of those whom they were bred to consider the master race, but to that susceptibility he did not seem to attach much importance. In the cases in which they had failed conspicuously—and he instanced the assault which followed the explosion of the mine before Petersburg—he said white soldiers would have failed also; no soldiers, he was persuaded, would have stood firm under these circumstances. He had no doubt

that the slaves would fight for the insurgents about as well as against them. He spoke of the Fellahs annually recruited by violence for the army of the Viceroy of Egypt, and who are always ready to repeat upon their own people, the succeeding year, the outrages of which they had so recently been the victims. He thought, however, the amount of strength the insurgents would gain from this source would not be enough to seriously prolong the war. He estimated the number of slaves in the insurgent States now at about 1,000,000. These, he said, would not yield more than ten per cent. of available men at the outside. In Algeria his government had found that for a razzia of only eight or ten days, and taking every available man, they never got more than one-seventh of the population. But in these cases none were left to cultivate the soil, or to look after property. It would not be possible for the American insurgents to strip their country of its laborers in this way, for their armies depend mainly upon the culture of the soil for their sustenance, and these levies would be required to absent themselves for months instead of a few days to be of any service. He thought, therefore, that one-tenth would be a very high proportion to allow for the possible acquisitions to the insurgent armies from this source, and that would yield but about 100,000 men—altogether too small a number to resist the gathering armies of the north. Colonel Chanal satisfied himself that white labor was quite as available as black in the culture of cotton, and expressed to me his conviction that the French peasant found the culture of maize in the south of France more painful and trying to his constitution than the culture of cotton would be to them in Alabama. The colonel's observations made among the French creoles of Louisiana in regard to the past and the present relations of the negro with them were very curious and instructive, and one day, I hope, will throw their light upon the history of this great transformation, though I do not feel warranted in swelling this communication of them.

I have the honor to remain yours, very respectfully,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 12.] LEGATION OF THE UNITED STATES,
Paris, January 27, 1865.

SIR: The Corps Legislatif is to open on the 15th instant. This announcement is a notorious breeder of rumors. Among them is one that an effort is afoot to make England and France unite in recognizing the southern confederacy, on condition that they will emancipate and arm their slaves. I mention this rumor not out of any respect for it, but to show to what silly shifts the partisans of rebellion here are driven to keep one another in countenance, and of what contortions the wounded carcase of secession is capable in its expiring agonies. The speech of Milner Gibson in England yesterday will probably bring this *canard* to an untimely end, but it will be replaced by another equally or more absurd, that will have its day on the bourse. You will find in the *Moniteur* of the 25th an article written apparently in the interest of those who extract comfort from the above rumor. It purports to be a letter from New York, dated the 10th instant, and is designed to show that the fate of slavery in the United States is sealed, and by implication that its abolition ought no longer to be regarded as the starting-point of a French or English policy in our country. Slavery has always been the stumbling-block of European disunion-

ists, whenever they have attempted to invoke intervention. Now they are desperate enough to imagine that if they can show that slavery, the perpetuation of which was the only pretext for rebellion, is practically extinct, or in process of rapid extinction, foreign powers will come to their rescue, and extend to them in their despair the hand which was refused to them when they were formidable. There are many so infatuated as to find pleasure in reading and hearing such stuff as this, and they are represented in the editorial management of the *Moniteur*, as well as in less important administration journals. * * *

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to Mr. Seward.

No. 13.] LEGATION OF THE UNITED STATES,
Paris, January 30, 1865.

SIR: I learned on Saturday, the 28th instant, about 1 p. m, through our consul at Nantes, that a despatch had come to the Danish consul at Nantes from the French *commissaire de l'inscription maritime*, at Palais, Bell Isle, informing him that a "Danish vessel called the Olinde, which had been sold to the confederates, had discharged her crew of fifty men at Quiberon, and that they were on their way to the care of the Danish consul at Nantes." The same letter advised me that a steam ram, built at Bordeaux, on the model of the Castelfidardo, with a Danish crew, and under the command of a Danish captain, was lying at the island of Honat, where she had discharged her crew of forty-two men on board a vessel sent from the yard of Messrs. Dubigeon Fils, of St. Nazaire, with coals for her; and while taking on board some thirty tons, which was all the weather admitted of transshipment, a British steamer came alongside with a supply of guns, ammunition, and a crew, which were also put on board. I immediately addressed a note, of which a copy is annexed, to the minister of foreign affairs.

The following despatch from Palais, Bell Isle, received at Nantes on the night of the 27th, reached me this morning:

"According to report to-day from Quiberon, the crew of a Danish steamer have been paid off. There are close to Honat island two steamers, unknown; one it is said is a ram, which passed four days ago before Palais without any flag up."

I also learned yesterday from our consul at Nantes that the ram sailed on the morning of the 28th at nine o'clock, steering southwest. These facts taken in connexion with information derived from a letter from our consul at Bordeaux, which I found on the files of the legation, an extract of which is annexed, led me to the conclusion that at least one of the vessels referred to by our consul at Nantes was built by Arman and sold to the Danish government, but not accepted, and was subsequently transferred to the confederates.

To-day I called upon Monsieur Chasseloup Laubat, the minister of marine, to learn what action he had taken or proposed to take upon the subject. He read me two despatches, speaking only of the arrival of a ram, apparently a foreign vessel, in the waters near Quiberon; but he had as yet received no written information upon the subject. I revealed to him my suspicions that these vessels, or this vessel if there is but one, had gone into the confederate service, and stated some of the facts upon which my suspicions were founded. He said he would telegraph at once for information; that Arman had deceived him twice, and might try to do it again; if so they could not help it, as the point where these vessels lay was not under the eye or guns of the government. I replied that

the transfer occurred in French waters, that the vessel was coaled clandestinely from a French steamer, and that intelligence of these facts reached me indirectly through a French government officer. He repeated that the waters in which these vessels are reported to have lain are not under surveillance; and besides, these vessels had been sold to the Danish government, which became thereby responsible for the use which should be made of them. I replied that according to the report the Danish government had refused to accept them, as not answering to the contract. His excellency replied, that he had received no official notice of their refusal to accept the vessels; that, as they were vessels-of-war, they could not have received his authorization to leave without first showing a contract for their purchase from some neutral government; that they did produce one from the Danish government, and if they did not intend to keep them it was its duty to notify this government and to place the ship once more under French jurisdiction; till then, Denmark, and not France, was responsible for the vessels.

As it was in the ministry of foreign affairs, and not in the department of marine, that questions of international responsibility are to be discussed, I hastened away in the hope of finding the Danish minister before his legation was closed. I was unfortunately too late; but I saw Mr. Haxlhaussen, the first secretary of the legation, who acknowledged the receipt of a despatch from their consul at Nantes, confirming the report that a vessel built by Arman and sold to his government, on arriving at Copenhagen had failed to answer the terms of the contract; that Arman preferred to take her back, rather than modify his terms; that she had put into Quiberon and discharged her crew; beyond this he professed to have no information. He insisted, however, that his government had never accepted the Stoerkodder; he gave her the name borne by the iron-clad to which our consul at Bordeaux referred in his letter, and therefore his government could not be responsible, &c.

After making an appointment to see the Danish minister at three o'clock to-morrow, I took my leave. I hope to learn from him something more definitive in regard to the terms of purchase and surrender of this vessel, or of these vessels if there were more than one, in time for to-morrow evening's mail.

I will conclude this despatch with a report current among the confederates in Paris this evening, that they have purchased a powerful ram, which is now on its way to Charleston, where it is expected to make havoc among our blockading vessels. She is reputed to carry one Armstrong gun of 300 pounds, two of 120 pounds, steel shot and shell, and bears the name of Stonewall.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, January 28, 1865.

SIR: I am advised that a vessel sailing under the Danish flag, but recently sold to the so-called Confederate States of America, had put into Palais, Belle Isle. I have reason to believe that this vessel was built in France, and sailed for a Danish port as a vessel built for the Danish government. One of the names she bears is Olinide; as she is a new vessel, she can have no claim to the shelter of a French port for repairs. If, as I have reason to believe, she is armed and ready for service, it would be a fraud upon the imperial government for her to leave before she had been stripped of her warlike munitions. I am also advised of an iron-clad vessel recently built at Bordeaux, arriving under the Danish flag, with a Danish captain and crew on board, at the Isle of Houat. She has discharged her Danish crew, who were taken to Quiberon in a vessel sent to supply her with coals by Messrs. Dubigeons Fils, of Nantes. While taking in her coals an English steamer came alongside and supplied her with guns, munitions of war and a crew.

Your excellency I trust will not think I am too hasty in concluding that this vessel also is

designed to prey upon American commerce under the flag of the so-called confederate government.

I hasten to bring these facts to your excellency's attention in the hopes that measures may be immediately taken to prevent a violation of that neutrality which the imperial government has shown itself so justly solicitous to maintain.

I take this occasion to renew to your excellency the assurance of the high consideration with which I have the honor to be, your excellency's very obedient servant,

JOHN BIGELOW.

His Excellency Mr. DROUYN DE LHUYS,
Minister of Foreign Affairs, Paris.

Mr. Davisson to Mr. Bigelow.

CONSULATE OF THE UNITED STATES,
Bordeaux, January 12, 1865.

SIR: I learn from the United States consul at Elsineur that the Arman iron-clad Sphinx, (now Stoerkodder,) which went to Copenhagen, was refused by the Danish government, and she is now en route for Bordeaux, in charge of a Danish captain and crew, and by permission of the Danish foreign office she is sailing under the Danish flag until her arrival in a French port. As she cleared from France as a vessel sold, her papers were taken from her on her arrival at Copenhagen, and her French captain left her. Hence this safe course pursued by Denmark of returning her to Bordeaux to get her natural documents and flag returned.

The twin brother of this iron-clad, the Cheops, is still at the quay in this city, and although workmen have been as busy as Frenchmen can be, it will probably require a month more for the completion.

* * * * * * * *

Respectfully, your obedient servant,

C. DAVISSON, *United States Consul.*

Hon. JOHN BIGELOW,
Minister of the United States of America, Paris.

Mr. Bigelow to Mr. Seward.

No. 14.] LEGATION OF THE UNITED STATES,
Paris, January 31, 1865.

SIR: Mr. Molkte, the Danish minister, whom I have just left, confirms substantially everything stated in my despatch No. 13 in regard to the Stoerkodder, except that from what he says I am inclined to believe that our consul's despatches from Nantes all relate to one and the same vessel-of-war. Mr. Molkte says that the Stoerkodder was sent to Copenhagen with a French crew, in charge of Mr. Amons de la Riviere, one of Arman's agents, whose name is already familiar to you in connexion with past negotiations between Arman and the confederates; that on her arrival at Copenhagen the crew were sent home; that after lying there some three months, she was finally rejected, as the Danish inspector at Bordeaux had previously told Arman she would be, he having refused to report in her favor before his departure; that upon receiving his final answer, Amons hired a Danish captain and crew to bring her to Bordeaux; that Amons, who called to see him yesterday, with the Danish pilot and captain, represented as his reason for stopping at Honat, that his engineers were unskilful, his sailors mutinous, and that, like the improvident virgins, their oil had given out. This last struck Mr. Molkte as quite a novelty in the category of maritime disasters, and contributed to inspire suspicion in regard to the whole transaction.

Mr. Molkte said there could be no mistake about the main fact, so important in determining where the responsibility must rest for the escape of the Stoerkodder, that she never for one moment passed out of the control of Arman or his agents, and of course was never for one moment in the possession of the Danish government. If this be so, the question of responsibility will not be difficult to solve.

I have written to our minister at Copenhagen to procure, with as little delay

as possible, all the information within his reach pertinent to the issue, and to communicate directly both to the State Department and to this legation.

In speaking of the defective construction of the Stoerkodder, about which there seems little difference of opinion, Mr. Molkte remarked that Amons insisted that she was a terrible vessel, and she was going to make terrible havoc among the blockading squadrons of the federals.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 16.] LEGATION OF THE UNITED STATES,
Paris, February 3, 1865.

SIR: In order to have no controversy about the facts connected with the recent escape of the steam ram Olinde from the waters of France, after the lapse of time should render their verification more difficult, I prepared a statement of such as seemed at once most authentic and most material, and handed it yesterday in person to his excellency the minister of foreign affairs. A copy is annexed. His excellency asked if he should read it then. I briefly explained its tenor and purpose, and begged him to read it at his liesure, unless he had some communication to make to me then upon the subject to which it referred. He then went on to say that he was not sufficiently informed about the case to discuss it; that the subject was under investigation by the minister of marine, and as soon as his report came to hand he would communicate with me. I said that I thought there were obvious advantages in having the investigation made, and a policy, which I had no doubt would be the just one, adopted by the government before any echo of the news reached here from the other side of the Atlantic. He referred to the precautions he had previously taken to prevent the escape of these vessels into improper hands, and assured me that the subject was then receiving the earnest attention of the government. * * * * *

I am, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, February 2, 1865.

SIR: Since the communication which I had the honor to make to your excellency on the 28th ultimo, I have ascertained, from authentic sources, the following facts in regard to the vessel-of-war clandestinely armed and equipped a few days since near the Isle of Houat and within the waters of France:

The name which the vessel bore on her arrival there was the Stoerkodder. She was built by Mr. Arman, naval constructor at Bordeaux, originally for the so-called Confederate States of America, but afterwards sold to the Danish government upon certain conditions and limitations as to price, speed, draught of water, &c. Before leaving Bordeaux an agent of the Danish government, who was sent to examine her, reported that she did not answer to the specifications, and refused to accept her.

Thinking the supreme authorities of Denmark might have reasons for judging his work more indulgently, Mr. Arman obtained from his excellency the minister of marine an authorization to send the ship to Copenhagen with a French equipage and under the French flag, in charge of a Mr. Amons de la Reviere, an agent for Mr. Arman, and already known to your excellency as a sort of contract broker for the insurgent organization in America.

On the arrival of the steamer at Copenhagen the French crew were dismissed, and she remained there some two or three months. The government of Denmark, after a new inspection, sustained the judgment of their agent at Bordeaux, and refused to accept the steamer as a fulfilment of Mr. Arman's contract, and she was then cleared for Bordeaux, full of coals, with a Danish equipage shipped by Mr. de Reviere, who continued on board and in charge of the ship.

Instead of going to Bordeaux, however, she put in at the isle of Honat, where, apparently through some concerted arrangement, a steamer from the yard of Dubigeon Fils & Co., of St. Nazaire, under pretext of supplying her with coals, of which she stood in no need and only received thirty tons, took off her Danish officers and crew, and landed forty-two of the latter at Quiberon and four officers at St. Nazaire.

While the transshipment of the coal and crew was going on, a British side-wheel steamer came alongside of the ram, which had already taken the name of Olinde, and supplied her with guns, munitions of war, and a crew, necessarily by virtue of some arrangement concerted before her departure from Copenhagen. She left on Saturday morning last, and though within a few hours' sail of Bordeaux has not since been heard from.

Amons de la Reviere left the Olinde with the Danish officers and came to Paris, having surrendered the ship to a new commander.

It is stated by one of the crew, shipped at isle Honat, but who refused to sail with her when he saw the military equipments of the officers and men, that by his shipping articles it appeared that the Olinde was to go to Lisbon, where, as has been reported to me from another source, she expected to complete her armament and sail thence on a five months' voyage.

I take leave to bring these statements, which all come from authentic sources, thus promptly to the notice of your excellency in the hope that your excellency will be pleased to inform me if they differ in any important particulars, and if so in what, from the reports which have reached the imperial government, in order that my own government may be assisted by an undisputed record of facts in determining precisely where the responsibility should rest for the depredations which are to be apprehended from the irregular and presumptively piratical manner in which the Olinde quitted the waters of France.

While I sincerely hope these apprehensions may prove to have been groundless, I do not feel sufficient doubt of the final destination of the Olinde to justify me in neglecting any precaution which it would be proper for me to take if my apprehensions were convictions.

I have the honor to renew to your excellency the assurance of my highest consideration, and remain

Your very humble and very obedient servant,

JOHN BIGELOW.

His Excellency M. DROUYN DE LHUYS,
Minister of Foreign Affairs, &c., &c., &c.

Mr. Bigelow to Mr. Seward.

No. 17.] LEGATION OF THE UNITED STATES,
Paris, February 3, 1865.

SIR: I have received from our consul at Nantes the testimony of two sailors employed on board the steam-tug Expeditif when she was sent with coals to the ram Olinde and to bring off her Danish crew. A translation is enclosed.

I also enclose a despatch received from our consul at Elsinore, in reply to one addressed by me to him a few days since, which confirms the information I had received that the Stoerkodder left full of coals; but it reveals another fact which may prove of grave importance. The Olinde seems to have taken in only thirty tons of coal in Denmark. If so, it is to be presumed that she left Bordeaux loaded with coal, and if so, the presumption is that her delivery to the confederates, as it has occurred, was planned before her departure from France. I shall pursue this inquiry diligently.

I shall request our minister at Lisbon, by this evening's mail, to put himself in such relation with the French minister at that court as to secure the co-operation of the French government in any efforts he may find it advantageous to make for the seizure of the Olinde, should she appear in Portuguese waters.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 1.]

Translation of testimony of Paul Brechoir and John Bouyer, sailors on board the tug Expeditif, taken in the presence of Mr. de la Montagnie, consul of the United States at Nantes, and Messrs. Chauvet and his colleague notaries at Nantes, and certified by them on the 1st day of February, 1865.

In presence of Mr. John Cordt, Hannens Dedichen, interpreter, residing at Nantes, fosse, No. 14, who, as also M. de Montagnie appearing, have testified to the undersigned notaries the individuality and identity of Messrs. Bouyer and Brechoir.

And after having read these present papers, the appearers, with the exception of Mr. Brechoir, who, being questioned, declared that he did not know how to do so, have all signed with the notaries.

The following is the tenor of the annex:

Declaration made before me, consul of the United States at Nantes, in my bureau, the 1st day of February, 1865.

This day, the 1st of February, 1865, appeared before me the said Brechoir (Paul) and Bouyer, seamen on board the tug Expeditif, who made the following declaration:

We left St. Nazaire, on board the tug Expeditif, Saturday evening, the 21st of January, commanded by Mr. Hahn Hobkirh, pilot Bonin, residing at St. Nazaire. We had on board a load of coal—it was said for the San Francisco at Quiberon.

Sunday, 22d of January, we saw an English paddle-wheel steamer, with two smoke-stacks, at the island of Honat. We arrived at Quiberon Sunday evening, 22d of January. We thought we were going to meet the San Francisco, according to what we were told at St. Nazaire. We remained at Quiberon the 22d and 23d of January, and we left on the 24th in the day time, directly for Honat, and there we found the ram (iron-clad vessel) Olinde, (the name written on her stern) carrying the Danish flag at the gaff; the English steamer which we had seen Sunday was anchored under the stern of the Olinde. The Expeditif anchored near the ram, and we debarked nearly thirty tons of coal upon the ram, which could not take any more, her coal-bunkers being full. We left St. Nazaire with a load of coal.

The 25th, in the morning, forty-two men of the crew of the ram, who said they were Danes, embarked on board of our vessel (the Expeditif) and we took them to Quiberon. The same day we returned to Honat. The English steamer was coming alongside the ram at the time we left with the forty-two men for Quiberon, and when we returned to Honat we found her lying off, embarking on board the ram provisions and munitions in her small boats.

She embarked barrels and boxes, which were emptied on deck and thrown overboard. It was said that the English steamer had brought a crew for the ram.

The said John Bouyer declares that he has seen the ram Olinde at Bordeaux, and that this vessel was constructed in the ship-yard of Mr. Arman, of Bordeaux, for Denmark. That he would have known the ram Olinde wherever he might have met her, and that he did not expect to see the ram in these waters, and that he had recognized her immediately.

He (Bouyer) had been employed on board vessels of the Bourgoing company, (called the company of the west and south,) doing service between Bordeaux and Nantes, and that he has often seen this ram while building at Bordeaux.

The workmen in the ship-yards had given to the ram the name of Cochon (pig) on account of her shape.

That he is certain the Olinde is the same ram; the above-named declare also that a certain Edmund, an Englishman or an American, went out with us on board the Expeditif from St. Nazaire, and that his brother Henry was on board the ram. These two gentlemen returned with us to St. Nazaire, as also four Danish officers, and the servant of Mr. Henry left the ram with him. We arrived in the night of the 25th and 26th of January at St. Nazaire.

The said Gerchais, brother of the pilot of the four tugs at Paineboeaf, seaman, residing at St. Nazaire, and working in the dock, left with us upon the Expeditif, and was engaged at the rate of 175 francs a month to go to Lisbon, but when he saw that the ram and crew were armed for war he refused to remain. A fireman engaged himself on board the ram, and offers were also made to us. The ram was rigged as a brig, with a single high smoke-stack. She was painted black; the painting upon the iron-coating was nearly worn off.

The crew seen by the said Gergais on board the ram were armed to the teeth with pistols and knives. It was said that the Olinde was sold to the southern confederacy of America.

The crew of the English vessel was rather numerous. It was said they were for the ram. The English vessel had on board cannon of a large calibre, which were put on board the ram. It was said on board that the ram had been sold to the confederates. We were not able to read the name upon the stern of the English vessel.

The said Edmund is blonde, wearing all his beard, tall and slender, about thirty years of age. The said Henry is also blonde, red moustaches, no other beard. He is also tall, and about thirty-two years old. Both spoke French well. Mr. Henry had a red ribbon in his button-hole.

After having heard the above declaration, I have given my signature this 1st day of February, 1865.

JOHN DE LA MONTAGNIE.

CONSUL OF THE UNITED STATES AT NANTES:

"Certified true, signed and annexed to the memorandum of an act drawn up by M. Chauvet and his collegue, the undersigned notaries of Nantes, the 1st of February, 1865, by whom the present paper has been deposited as a minute.

"Recorded at Nantes, 2d of February, 1865, fo. 20, verse case 1st. Received two francs, decime and a half—thirty centimes.

"GREGOIRE.
"CHAUVET."

[Enclosure No. 2]

UNITED STATES CONSUL, *Paris:*

Stoerkodder on outward clearance; thirty tons coal exported; previous stock on board unknown; went into Christians and, also to the Texel, January 19; left 21st for Bordeaux.

HANSEN.

Mr. Bigelow to Mr Seward

[Extracts.]

No 19.] LEGATION OF THE UNITED STATES,
Paris, February 6, 1865.

SIR: I received a telegram on Saturday from Mr. Perry, secretary of the legation at Madrid, advising me that a confederate steamer had put into Corunna, in Spain, for repairs. The next morning, Sunday, about 11 o'clock, I received another despatch from Mr. Perry (enclosure No. 1) giving such a description of the vessel referred to in his previous despatch as to satisfy me that it was the Stoerkodder, alias the Olinde, alias the Stonewall, and that she had sought refuge in the dock-yard of Ferrol for repairs.

I immediately drove to the minister of foreign affairs, and was fortunate enough to find Mr. Drouyn de Lhuys in his cabinet. I communicated to him the information I had received, of which he took a copy, and my reasons for believing the vessel at Ferrol to be the Olinde. After he was fully possessed of my facts, I suggested to his excellency the propriety of immediately instructing his ambassador at Madrid, by telegraph, to ask the Spanish government to detain the vessel at least until the inquest, which the minister of marine was making in the case of the Olinde, was completed, and his excellency had an opportunity of communicating more fully with his minister at Madrid upon the subject. Mr. Drouyn de Lhuys replied that he had written twice to the minister of marine, pressing him for a report of the evidence in the case of the Olinde, but as yet nothing had been received from that department. He could not, he thought, with propriety, give any order upon the subject to his diplomatic agents till he had heard from the minister of marine. He also betrayed some uneasiness, lest in taking the initiative he might be assuming a greater degree of responsibility for what had recently occurred at Quiberon bay than was consistent with his theory, that the Olinde was a Danish and not a French vessel. I explained that a crime had been committed against the laws of France, hence the inquest upon which the minister of marine was engaged; till the authors and extent of that crime were ascertained and punished, France had an interest in detaining the vessel and all on board as contingently liable in damages; that this right was quite independent of the nationality of the vessel upon which there was no immediate occasion to give an opinion. The Olinde was the *corps de delit* in a sense, and France had a right to insist upon her remaining at Ferrol to await the pending investigation. His excellency seemed to assent to this view, but again referred to the absence of official evidence. I asked him if there would be any impropriety in my going to the minister of marine, showing him my despatch, and discussing the subject with him. "None whatever," was his prompt reply, and he wished me to mention to the minister of marine that he was waiting for his report, without which he was unable to take any step in the premises.

I immediately went to the minister of marine, whom I was also fortunate enough to find in his cabinet. I made substantially the same communication to him that I had made to the minister of foreign affairs, including the message I had been requested to deliver.

His excellency informed me that the papers in the case of the Olinde were just complete, except that the testimony of Arman had not been taken, and that they were on the point of being sent to the minister of foreign affairs; he said, of course, he could give no orders to the diplomatic agents of the government, but that if I would return to Mr. Drouyn de Lhuys after he had had time to read the report I might renew my proposition, and the despatch might be sent on that night. He suggested that I should go at 2 o'clock, and promised that in the course of the afternoon he would see Mr. Drouyn de Lhuys himself.

I told him I should follow his advice, and in doing so should use his name. Before leaving I saw the report folded, sealed, directed, and delivered into the hands of a messenger, who set out with it to the ministry of foreign affairs. At 2 o'clock I went again to the ministry of foreign affairs, but unfortunately Mr. Drouyn de Lhuys had gone out.

I immediately returned to the legation and addressed to him a communication, of which enclosure No. 2 is a copy.

I then sent the following telegram to Mr. Perry, at Madrid, and to Mr. Sanford, at Brussels:

"FEBRUARY 5, 1865.

"The steamer Stonewall, Captain V. P. Page, 3 cannons, 300 horse-power, 79 men, from Copenhagen, *via* France, for America, flag of confederates, is at Ferrol, Spain, for repairs. It is doubtless the Olinde.

"BIGELOW."

I also addressed to Mr. Perry, by mail, a communication, of which enclosure No. 3 is a copy. I received from Mr. Sanford this afternoon the following despatch: "*Craven telegraphs from Dover, acknowledging the receipt of my yesterday's despatch.*" I presume from this that the Niagara will soon be at Corunna, if she is not under conflicting orders. I omitted to state that in my interview with the minister of foreign affairs he twice asked where our ships were and advised me to send them after her at once. I was sorry not to have any definite information upon the subject.

* * * * * * * * * *

To explain where the Olinde was between the 2d of January, when she left Copenhagen, and the 23d, when she arrived off Palais, Belle Isle, I enclose an extract from a letter received from our consul at Elsinore, (enclosure No. 4.) I also enclose an extract from a letter received this morning from our consul at Bordeaux, in reference to the Stoerkodder's supply of coals, (enclosure No. 5.)

I hope before the departure of the next mail to have something to send you from the minister of foreign affairs in reference to this case.

I remain, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

[Enclosure No. 1.—Telegraphic despatch.]

MADRID, *February* 5, 1865—7½ o'clock.

It is the iron-clad steamer Stonewall, Captain V. G. Page; 3 cannon; 300 horse-power; 79 crew; from Copenhagen for America; at dock-yard of Ferrol; asks repairs.

HORATIO PERRY.

Mr. ——— ———,
Chargé d'Affaires of the United States at Paris.

[Enclosure No. 2.]

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, February 5, 1865.

SIR: I had the honor to communicate your excellency's message this morning to his excellency the minister of marine, together with my proof already exhibited to your excellency of the identity of the steam ram Olinde, which recently sailed from the bay of Quiberon with the confederate steamer Stonewall, now lying at Ferrol, in Spain. His excellency the minister of marine informed me that his report in the case of the Olinde was ready, and he was on the point of sending it. While I was there I saw it placed in the hands of a messenger. His excellency the minister of marine purposed to wait upon your excellency to confer upon the subject of his report in the course of this afternoon, but he recommended me to wait upon your excellency again, after you had ha leisure to peruse the papers, when he thought I might receive some intimation to guide me in my communication to-night with our agents in Spain. In compliance with this suggestion, I called at the ministry of foreign affairs, but was so unfortunate as to find that your excellency had gone out. Had I been fortunate enough to have seen your excellency on the occasion of my second visit, I should have taken the liberty of urging the expediency of to-day instructing Mr. Mercier to request the Spanish government to detain the Stonewall until you had finished the inquiry which had been instituted into the circumstances attending her equipment and departure from France, which there was reason for believing had been effected in violation of the laws of France. I had also intended to suggest, as a precedent to the Spanish government, if any were needed, and to show that the imperial government asks no more than it is willing to concede, the case of the Victor, *alias* Rappahannock, now lying at Calais, by virtue of a procedure precisely similar in all important particulars to that which I propose should be instituted against the Stonewall. If your excellency should estimate the importance of preventing this steamer from leaving the west coast of Europe, under the flag of the so-called confederate government, as highly as I do, you will pardon the earnestness with which I press a course of proceeding which promises a speedy, natural, and satisfactory solution of what otherwise threatens to become a very troublesome case.

I beg to renew to your excellency the assurance of the very distinguished consideration with which I have the honor to be your excellency's very obedient and very humble servant,

JOHN BIGELOW.

His Excellency M. DROUYN DE LHUYS,
Minister of Foreign Affairs, &c.

[Enclosure No. 3.]

Mr. Bigelow to Mr. Perry.

LEGATION OF THE UNITED STATES,
Paris, February 5, 1865.

SIR: The confederate steamer Stonewall, referred to in your telegram received this morning, is undoubtedly one of the rams built at Bordeaux; originally for the confederates, but ultimately sold, conditionally, to the Danish government. She left Bordeaux last September for Copenhagen, but not answering to the specifications of the contract was refused. She left, as was given out to the public and stated in the shipping articles of the crew, for Bordeaux early in January, with a Danish crew, shipped by Arnons de la Bieere, (the agent of Mr. Arman, the builder,) who accompanied her to Copenhagen and returned with her. She stopped in the bay of Quiberon, just inside the isle of Honat, when she discharged her Danish crew and received at the same time from the Duke of Richmond, (an English steamer,) a crew, guns, and munitions of all kinds. From a steam-tug sent from St. Nazaire she also received thirty tons of coal, which replaced what had been consumed on her voyage from Copenhagen, where she had also taken only thirty tons, that being the extent of her capacity at that time, from which I infer that she left Bordeaux full of coal, and that her final destination for the confederates was planned before she left Bordeaux.

The name she bore when she left Bordeaux was the Stoerkodder; after passing into the confederate hands, as I presume she did immediately after clearing at Copenhagen, she took the name of Olinde, which she bore on her stern while lying in Quiberon bay. I heard a report current, a day or two after she sailed, that great things were expected (by the confederates) from a ram which had just left France, called the Stonewall, and that the utter destruction of our blockading fleet off Charleston was to be one of the least considerable of its achievements. Of the identity of these two vessels I have no doubt, nor do I believe any is entertained here, either at the department of marine or foreign affairs, both of which I visited immediately upon the receipt of your despatch.

I proposed that his excellency the minister of foreign affairs should telegraph this afternoon to his minister at Madrid to ask the Spanish government to detain the Stonewall, at least until the investigation which the government here is now making be completed, and the guilty parties, if there are any, to the equipment of this vessel in French waters, be ascertained. I assured him that our legation at Madrid would unite in such an application if necessary.

Unfortunately he had not yet received any report from the department of marine, without which he could not take any step of that gravity.

I took measures to have the report of the minister of marine reach him within an hour after my interview, and I hope that one of the results of a perusal of the evidence will be a telegraphic direction this afternoon to Mr. Mercier to do what may be necessary to detain the vessel.

I write you all these facts in detail that you may understand the position which the French government occupies, and to suggest that you put yourself at once in relation with Mr. Mercier, and urge him to do what he can to make the Spanish government seize, or at least detain, the Stonewall. The more France can be made to take the initiative in this matter the more will our future course be simplified. Should Mr. Mercier receive no instructions, or should he decline to act, I would suggest that you make the application in behalf of your own government.

France has recently furnished Spain an excellent precedent for such a step in the case of the Rappahannock, which was fraudulently taken from English waters into Calais to be fitted out and equipped for the confederates. This government refused to let her leave, upon grounds which apply with exactness to the case of the Stonewall. In both cases they got an opportunity of flying the confederate flag by a fraud upon the government, under which they were equipped in part. France refused to recognize a nationality acquired in that way, and the Rappahannock lies at Calais to this day.

Have you any agent at Ferrol? If not, would you not do well to send one there at once? I hope you will keep me advised of the movements of the Stonewall by telegram.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW, *Chargé, &c.*

HORATIO J. PERRY, *Secretary of Legation.*

[Enclosure No. 4.—Extract.]

Mr. Hansen to Mr. Bigelow.

CONSULATE OF THE UNITED STATES OF AMERICA,
Elsinore, February 1, 1865.

DEAR SIR: Your telegram of yesterday has just been received, and answered by me per telegraph.

The Stoerkodder only took on board and cleared for export thirty tons of coal. What quantity she had on board is unknown.

After she left Copenhagen she had to lay to off this port a couple of days on account of bad weather. She had gone out, but had to return. She went into the port of Christiansand, in Norway, where she also stopped some days on account of the weather. The report from there is, that she is a poor sea-going vessel. I next found her reported as arriving in the Texel on the 19th of January, which port she left on the 20th for Bordeaux, as reported from there. She undoubtedly went in there for coals. * * * * *

I have the honor to be, sir, your obedient servant,

GEORGE P. HANSEN,
United States Consul

Hon. JOHN BIGELOW,
United States Consul, Paris.

[Enclosure No. 5.—Extract.]

Mr. Davison to Mr. Bigelow.

CONSULATE OF THE UNITED STATES OF AMERICA,
Bordeaux, February 6, 1865.

SIR: In answer to yours of the 4th, received yesterday, (Sunday,) I am enabled to say that the Stoerkodder took on 180 tons of coal here before leaving for Denmark. I called upon Mr. William Bradley, (an Englishman,) coal dealer, who informed me that he furnished the coal for all of Arman's vessels—the Yedo, Osacca, and Stoerkodder—and that he put 180. tons on the latter, and a larger amount on the former two, (some 200 or 300 tons each.) It is stated here, and was published in the papers at the time, that the Stoerkodder also put into

Cherbourg for more coal on her way north, the statements being that her sailing apparatus did not work well, and that she had to go entirely by steam.

I called on my friend Mr. Preck, also, again to-day, who tells me he thinks she had but 100 tons of coal on her, and that she would hold 250 tons. He was a surveyor of that vessel, and was on board during her trial trips on the river. He says she went up and down the river two or three times, making, at the best speed, ten knots an hour in smooth water, with, I believe, sixty-five revolutions of the wheel per minute. I think Arman had agreed to make her run twelve knots.

Mr. Preck says the remaining iron-clad, the Cheops, has been sold to the Bey of Tunis for two and a half million francs. He tells me an engineer of the Bey was here to examine her. There may be another dodge awaiting us with this vessel. * * *

Very respectfully yours,

C. DAVISON,
United States Consul.

Hon. JOHN BIGELOW,
United States Minister, Paris.

Mr. Bigelow to Mr. Seward.

No. 22.] LEGATION OF THE UNITED STATES,
Paris, February 7, 1865.

SIR: I have received from Mr. Adams, at London, a copy of despatch No. 1,226, addressed to him in cipher. On Thursday last I found what seemed to be a suitable opportunity to inquire of Mr. Drouyn de Lhuys whether any person had brought to him any proposals of the nature of those alluded to in your despatch. He very promptly replied, that not only no person had brought any, but he had never received any intimation from any one, orally or in writing, that any such step was in contemplation. He extended the range of his remark by adding that he had no *reason* to suppose that any such proposals had been made to any one else, referring, as I supposed, to his sovereign. He had read something of the kind in a newspaper, but that was the source of all he knew upon the subject. His reply would have surprised me if it had differed much from this, for I do not think the insurgents could now get any responsible statesman here to listen to such a proposition, or any other that risked a quarrel with the United States. The south has no friends in Europe now worth naming, though the north, I am sorry to say, has a great many enemies. It is, however, perhaps rather a matter of pride than regret to us, when we reflect how she has incurred them.

The current impression in all quarters here is that our war is drawing to a close, and that the Union is to be preserved. It was proposed in the board of direction of the Bank of France last week, a few days since, to lower the rate of discount from 4½ to 4 per cent. One of the directors objected. He said there was every reason to anticipate an early termination of the war in America, in which case an advance in the rates of the bank will become necessary. For his part he would deem it more prudent now to put the rate at 5 than at 4 per cent. The result was that the old rate of 4½ per cent. was continued.

You have doubtless remarked another circumstance equally significant of the change which public opinion has undergone in Europe within a few months. Formerly federal successes advanced the price of cotton at Liverpool; for some time past they have had precisely the contrary effect.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

Mr. Seward to Mr. Bigelow.

No. 35.] DEPARTMENT OF STATE,
Washington, February 7, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 20th ultimo, No. 7, concerning the purchase and equipment of the Shanghai and San Francisco for the Peruvian navy, and their subsequent departure, and informing me that the purchase for the Peruvian government of a vessel built at Glasgow for the insurgents was the subject of a negotiation which was depending on the news to come from America, which might render it impossible for the projected ship to sail under the Peruvian flag.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr .Seward to Mr. Bigelow.

No. 36.] DEPARTMENT OF STATE,
Washington, February 7, 1865.

SIR: Delays of mails and interruptions in my labors have prevented an earlier acknowledgment of your despatch of January 13, No. 3.

It gives me pleasure to approve and confirm all you said to Mr. Drouyn de Lhuys on the occasion of presenting your credentials. I like well, also, the tone and the general tenor of the conversation on his part, as you have reported it to me. I have only one reservation on that subject to make. It seems to me that a time has come when France at least, of all the European powers, should be able to renew her ancient faith in the stability of the united American republic. You have a pleasant and important duty to perform in leading France to that conclusion, which would be hardly less beneficial to her than to the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 23.] LEGATION OF THE UNITED STATES,
Paris, February 9, 1865.

SIR: On the 7th instant I received the following despatch from our legation at Madrid:

"The Stonewall is provisionally detained here. Mercier has no instructions. See Mr. Drouyn de Lhuys. I can detain the privateer till they arrive. Your letter received Wednesday."

Yesterday I received the following despatch from the same source:

"The Stonewall is the same as the vessel called Stoerkodder at Bordeaux, and Olinde at Quiberon. Her crew is that which formerly belonged to the Florida."

I also received yesterday from Mr. Drouyn de Lhuys a reply to my communication to him on the subject of this steamer, covering the report from the minister of marine. Both are enclosed. I have this day addressed to his excellency another communication, which also will be found enclosed. I also

addressed enclosure No. 3 to Mr. Perry at Madrid. I presume that the Stonewall is now imprisoned, for a season at least. In the absence of any immediate danger, I have thought it better policy to have no discussion with Mr. Drouyn de Lhuys in regard to the merits of his despatch, even orally, until I receive instructions from you, and until the Danish side of the case, also, is officially presented.

I am, dear sir, very respectfully, yours,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Drouyn de Lhuys to Mr. Bigelow.

[Enclosure No. 1.—Translation.]

PARIS, *February* 7, 1865.

SIR: Upon the receipt of the letters which you did me the honor to write me the 28th of January last and the 2d of this month, I hasten to call the attention of his excellency M. the minister of marine to the facts which you mention, begging him to be pleased to communicate to me all the information which he could possibly collect concerning the appearance and sojourn upon the coast of France of a vessel-of-war, sailing under the Danish flag, and which your information indicates as destined to cruise on behalf of the Confederate States. I have just received from M. Lecompte de Chasseloup Laubat the information which permits me to answer the questions which you have addressed to me. The Olinde (this is the name which the vessel bore which appeared upon our coast) being, in your opinion, as indeed certain indications also authorize us in supposing, the same vessel which under the name of Sphinx last year went out from the ship-yard of Mr. Arman, a French ship-builder, I think it my duty here first to recall the circumstances under which the Sphinx was authorized to leave the port of Bordeaux. When it was a question of her delivery to her purchaser, the government of the Emperor took care to assure itself that the sale of this vessel was not a cloak to any operation contrary to the neutrality which it observed, and which it has constantly watched, pursuant to the provisions of law, in order that no violation should occur from its own subjects. It proceeded, therefore, to the strictest investigation, and it was only when Mr. Arman had established by the most unexceptionable proofs—that is to say, by the production of his bill of sale—that the Sphinx was really sold to a European non-belligerent power, that its exit from the port of Bordeaux was authorized. The first of October the testimony of M. the minister of Denmark at Paris, supported by that of the minister of his Majesty at Copenhagen, fully confirmed the declaration of Mr. Arman, and the authenticity of the title which he had produced There could then be no doubt as to the real destination of the vessel which in effect, on quitting France, was sent to Denmark.

Here, according to what you write me, sir, arose a new order of facts, a consequence of which was the transfer into other hands of the ownership of the vessel in question. Upon this point the government of the Emperor does not possess any other information than that which you have been pleased to transmit to me, and the absence of Mr. Arman at Berlin at this moment has not permitted us to ask any from him. One cannot be astonished, however, at the ignorance in which the French administration finds itself concerning what passed during the stay of the Sphinx in Denmark, since this vessel had then ceased to be a French vessel. We have neither any reason nor any right to make an inquiry into the matter. It would, indeed, have been, on the part of the government of the Emperor, passing the limits of what comports with the most scrupulous neutrality to pretend to exercise a control over the ulterior destination of a vessel which, having become the property of a neutral power, had definitively escaped from its jurisdiction.

As to the arrival of the Olinde in French waters, the report which M. the minister of marine has addressed to me, and of which I have the honor to send you herewith a copy, establishes, as you will see, sir, that she presented herself there under the Danish flag, manned by a Danish crew—that is to say, with every quality which constituted for her a Danish nationality.

Her arrival upon our coast had nothing unusual in it, nor anything which would call particular attention to her if she was joined there by an English vessel; that was but a very ordinary fact, not being, either, of a nature to arouse any special attention.

There is, therefore, no occasion for being surprised that the stay of this vessel should have passed unnoticed, particularly if one considers the insufficiency of the means of surveillance in open roadsteads, such as those where she anchored. Upon all these points the accompanying letter of M. Lecompte de Chasselough Laubat will furnish you the most conclusive information.

In announcing to me, sir, by your letter of the 5th of this month, that the vessel which you consider as at present belonging to the confederates had, under the name of Stonewall, entered the port of Ferrol, you expressed the wish that the government of the Emperor would intercede with that of her Catholic Majesty, with the view of procuring her detention. I would be happy to be able to respond to the desire which you had done me the honor to express to me; but it is not possible for me to understand by what right I would be permitted to do so. I need not say that the police of her ports appertains to the Spanish government alone; and in this case no particular circumstance would authorize the intervention of the government of his Majesty. As results from the facts which I have just recalled, the regular sale which has been made of the vessel in question, to a neutral power, took from her her character as a French vessel, and we have no longer, from that moment, any right to ask, that under this title, in a port of Spain, she be subjected to special measures of surveillance or of coercion. You will understand, sir, that to act thus, without any right of our own, and in an interest which is foreign to us, would evidently be to depart by an unjustifiable step from the attitude of strict abstention, which we ought to preserve in the war, and to infringe, to the detriment of one of the parties and to the profit of the other, the neutrality which we desire to observe towards both. The Danish government might, perhaps, if it judged proper, take the initiative in this matter, which to us is in any case interdicted.

The government of the Emperor would certainly, regret sir, as deeply as any one, that the Stonewall should ultimately receive the destination of which you were apprehensive, and the injury which might result thereby to the commerce of the United States. But, unfortunately, it does not depend upon it to place an obstacle to this. It is only conscious of having taken the greatest possible care not to depart from the rules which it has laid down for itself, and which evinces at the same time its kindly feelings towards the United States, and its wish to relieve itself from all responsibility. In this as in all circumstances, it has strictly conformed to the principles of neutrality which have not ceased to govern its conduct and to inspire all its actions.

I will finish, sir, by a last observation upon the subject of the analogy which the situation of the Stonewall in the port of Ferrol seems to you to offer to that of the Rappahannock in the port of Calais. Even were the situations of these two ships the same, the government of the Emperor would not be held to account for it, as far as it is concerned, since the Stone wall is in a Spanish port, where we have no jurisdiction.

But in my opinion, the circumstances under which the two vessels presented themselves—the one at Calais, the other at Ferrol—are entirely different. You will ineffect, remember, sir, that the Rappahannock was, as supposed, a vessel of commerce, having left a port of England, and which, having taken refuge in a French port, attempted to transform herselt there into a vessel-of-war. Faithful to its principles, the government of the Emperor did not permit this transformation to take place in its waters, and opposed the going out of the ship. The vessel whose presence at Ferrol you mention, seems to have presented herself there under circumstances entirely different, and which it seems to me do not allow of any assimilation to the precedent which you recall.

Receive, sir, the assurance of the very distinguished consideration with which I have the honor to be, your very humble and very obedient servant,

DROUYN DE LHUYS.

Mr. BIGELOW,
Chargé d'Affaires of the United States at Paris.

The Minister of Marine to the Minister of Forign Affairs

[Translation.]

PARIS, *February* 5, 1865.

M. THE MINISTER AND DEAR COLLEAGUE: You did me the honor to transmit to me the copy of a letter which M. the chargé d'affaires of the United States had written to you, and in which he mentions the arrival at Belle Isle, and off the island of Honat, of two vessels, recently constructed in France, sailing at present under the Danish flag, but which, according to him, are destined to cruise on behalf of the Confederate States.

Mr. Bigelow thinks that the ram vessel is the Sphinx, constructed by Mr. Arman, of Bordeaux. Your excellency remembers that this vessel, as also the other ships-of-war which left the yards of this shipbuilder, were stopped by my orders until Mr. Arman should have proved to the department of foreign affairs their regular sale to a neutral power.

The 3d of October last, your excellency having made known to me that the proof had been produced by Mr. Arman, and that the Sphinx had been really sold to the Danish government, which had just concluded the preliminaries of peace, there was no longer any motive for detaining the vessel. She left them for Helsingborg, and she does not appear to have carried any other than the Danish flag.

According to what Mr. Bigelow tells me (but what no official document has made known to me) it would appear that, in consequence of difficulties raised between the Danish govern-

ment and Mr. Arman, this vessel was refused, and the latter remaining the owner, had arranged with the agents of the Confederate States to deliver her to them.

However this may be, it is certain that the vessel which appeared in the waters of Belle Isle was of a construction similar to that of the Sphinx; she carried the Danish flag and had a Danish crew when she anchored in the roadstead of Palais. She afterwards went to the island of Honat. A side-wheel steamer, under the English flag, joined her there, it appeared, and the bad weather might naturally cause the belief that this vessel had also put into port. At length the French steamer, the Expeditif, brought coal to these vessels. These incidents could not but appear very natural; similar cases constantly occur, and it is not customary to make inquiries into what a foreign vessel-of-war comes into port to do, particularly in bad weather upon a friendly coast.

I think it my duty to direct your excellency's attention to the fact also that we have not the means of exercising an effective surveillance over vessels which anchor in our open roadsteads. Upon the other hand, I would add, that on account of prevailing bad weather, communications have been infrequent between Belle Isle and the island of Honat, situated opposite the bay of Quiberon near which the vessels were anchored, and finally, that there exists upon this little island neither telegraphic bureau nor semaphore.

However, I have asked the maritime authorities of Belle Isle, and at the different points of the coast which are contiguous to the waters of Honat island, for information upon the movements of the vessels mentioned by M. the chargé d'affaires of the United States.

As far as the supposition of Mr. Bigelow is concerned, that the ram vessel was destined to cruise under the flag of the Confederate States, it would be for Denmark to respond to him, since her crew was Danish, she carried the Danish flag, and, as you have remarked, she had been regularly sold to the Danish government.

The facts in question could not then, in any case, concern us, and I believe it unnecessary to recall the fact that, under all circumstances, the government of the Emperor has always made it a duty to observe, and to cause to be observed, the most strict and loyal neutrality between the two parties who at present divide the United States of America.

[Enclosure No. 2.]

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, February 9, 1865.

SIR: I have the honor to acknowledge the receipt of your excellency's communication of the 8th instant, in reference to the recent equipment of a steamer-of-war of French construction in the bay of Quiberon, together with the report of his excellency the minister of marine on that subject. I shall lose no time in communicating them to my government.

I avail myself of this occasion to renew assurances of the very high consideration, with which I have the honor to be your excellency's very obedient and very humble servant,

JOHN BIGELOW.

His Excellency M. DROUYN DE LHUYS,
Minister of Foreign Affairs.

[Enclosure No. 3.]

Mr. Bigelow to Mr. Perry.

FEBRUARY 8, 1865.

DEAR SIR: I was gratified to learn by your telegrams of Monday and to-day that the Stonewall can be detained a few days; that will suffice for the frigate Niagara, Commodore Craven, which I presume left Dover on Monday, to reach Ferrol.

The French government decline to meddle with the Stonewall in Spain. Their theory, to which they will naturally adhere as long as possible, is, that she was a Danish vessel until she went into confederate hands, and that it is for Denmark, and not for France, to intercede with Spain for her detention.

As no assistance is to be expected from this quarter, you will need no suggestion from any one to use every proper influence with the Spanish government to detain the Stonewall at least until you hear from our government.

I do not know the relative strength of the two vessels, but the result of a conflict between the Stonewall and the Niagara might be sufficiently uncertain to make it bad policy to risk one unnecessarily. Upon that point, however, Commodore Craven is a competent authority. The Stonewall carries one 300-pounder and two 120 pounders, I am told, in addition to any guns she may have received the other day from the Duke of Richmond.

I remain, dear sir, your very obedient servant,

JOHN BIGELOW.

Hon. HORATIO J. PERRY,
Legation of the United States.

Mr. Bigelow to Mr. Seward.

No. 26.] LEGATION OF THE UNITED STATES,
Paris, February 10, 1865.

SIR: I have the honor to enclose a communication, received this morning from his excellency the minister of foreign affairs, informing me that the inquiry which had been instituted by the minister of marine into the circumstances connected with the appearance of the Olinde on the French coast had been transferred to the department of his excellency the keeper of the seals and minister of justice, with the view to judicial proceeding if occasion should exist for them.

I hail the omen, and remain, very sincerely, yours,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

Mr. Drouyn de Lhuys to Mr. Bigelow.

[Translation.]

PARIS, *February* 8, 1865.

SIR: I have had the honor to announce to you that his excellency M. the minister of the marine and colonies had instituted an administrative inquest in relation to the facts which concern the appearance upon our coast of the vessel Olinde, and to make known to you summarily the result.

I can add to-day that the examination into this matter has been handed over to his excellency M. the keeper of the seals, minister of justice, in order that judicial proceedings may be taken should there be occasion for them.

Receive, sir, the assurances of the most distinguished consideration with which I have the honor to be, your very humble and obedient servant,

DROUYN DE LHUYS.

JOHN BIGELOW, Esq.,
Chargé d'Affaires of the United States at Paris.

Mr. Bigelow to Mr. Seward.

No. 28.] LEGATION OF THE UNITED STATES,
Paris, February 10, 1865.

SIR: I have this moment received the following despatch from our chargé d'affaires at Madrid:

"The privateer Stonewall will probably leave to-morrow."

"PERRY."

I have not received a line from Mr. Perry by post, nor have I received any information of any kind from any of our naval officers, except that Commodore Craven had received the substance of the despatch which I sent to Mr. Sandford on Sunday. I presume the Niagara was at, or in the neighborhood of, Ferrol before this, but I have no notice of her arrival there, nor indeed any positive assurance that she has sailed for that port.

I hope, however, this mail may take to you fuller intelligence upon all these points. Permit me to suggest that it would be a great convenience, and, possibly, a great advantage, if our vessels on this station were instructed to notify the legations of the United States in countries with which they are in communication when they arrive in port, and, if practicable, the day of their departure, if possible, a few days in advance. If the Stonewall gets off, it is some consola-

tion to reflect that notice of her intentions has preceded her, and that the note of preparation has been sounded.

It is possible she may have to go to Lisbon to complete her equipment, as was stated by one of the sailors to be the commodore's intention. In that case, our minister at Portugal may be more successful in detaining her than Mr. Perry has been.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 43. DEPARTMENT OF STATE,
Washington, February 13, 1865.

SIR: I transmit a copy of a despatch, and of its accompaniments, of the 22d of November last, addressed to this department by F. B. Elmer, esq., United States consul at La Paz, in Mexico, relative to the removal of powder from the United States schooner William L. Richardson, while on a voyage from San Francisco to the mouth of the Colorado river, by the commander of the French war steamer Diamant. The powder referred to is shown by the papers to have been consigned to Paul Heller, at Tucson, in Arizona Territory, and is alleged to have been intended for mining purposes in that Territory.

The belligerent right of the French to prevent contraband of war from reaching Mexican territory during the existence of hostilities in that country may be conceded. That right, however, cannot be allowed to interfere with perfect free trade in all commodities between ports of the United States. You will consequently present this case to Mr. Drouyn de Lhuys, and in your note upon the subject you will say that, if the facts should, upon investigation, turn out to be as set forth in the papers, the value of the powder, and such other reparation as the case may call for, will be expected by this government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Elmer to Mr. Seward.

[Extract.]

No. 8.] UNITED STATES CONSULATE,
La Paz, Mexico, November 22, 1864.

SIR: I have the honor herewith to transmit the affidavit of George Goodrum, master of the schooner William L. Richardson, of San Francisco, concerning what I beg leave to express the hope that the government will decide to have been a violation of the rights of neutrals, and a case where ample reparation must be demanded.

I have satisfied myself, after a careful inquiry, that the powder was not to be landed upon the Mexican coast, and was shipped in good faith for a person living at Tucson, Arizona Territory.

Should any other testimony than that contained in the accompanying affidavit be required, I shall be able to forward it, as I have corroborating evidence on file, to be forwarded if called for.

I have retained a copy of the bill of lading, from which I extract the following as pertinent: "Shipped in good order and condition, by J. Underhill & Company, on board the schooner called the William L. Richardson, whereof George Goodrum is master, now lying in the port of San Francisco, and bound for the anchorage at the mouth of the Colorado river, to say, one hundred kegs powder, marked and numbered as in the margin, to wit: 'M. A. D., care J. Capron, Tucson, A. T.' Freight on same fifty dollars."

I also examined the manifest, and found the entry as stated in Mr. Goodrum's affidavit. The powder was entered as such and consigned in the manner stated.

I also transmit an exact copy of the certificate given by the Frenchman in his own language; also a translated copy.

* * * * * * *

Very respectfully, your obedient servant,

F. B. ELMER, *Consul.*

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington City.

[Enclosure No. 1.]

Deposition of George Goodrum.

CONSULATE OF THE UNITED STATES OF AMERICA,
La Paz, Mexico, November 2, 1864.

On this second day of November, A. D. 1864, before me, the undersigned, consul of the United States of America for La Paz and the dependencies thereof, there personally appeared George Goodrum, master of the American schooner William L. Richardson, and made oath in due form of law that the following is a true and faithful transcript of the entries in the log-book of said vessel for the period embraced therein; that they were written by his first officer, at his dictation and under his observation, and that the same is a true and faithful record of the proceedings occurring as therein detailed.

The following is the transcript:

"October 30, at 1.30 p. m., on entering the bay of La Paz we were fired upon by the French war-steamer Diamant. We hove our vessel to and set our colors, when an officer from the steamer came on board and demanded our papers, which were shown to him by Captain Goodrum. The officer looked at them for a short time, and then said he would take them on board his own vessel. Captain Goodrum told him he could not let his papers go, and protested against his taking them. The officer said it was all right, and retained them. He then ordered us to take in sail, and said he would take us in tow. The officer then went on board his own vessel and steered for Pichilque island, about eight miles from La Paz and within the bay, where he came to anchor and ordered us to do the same, which order we were compelled to comply with.

"The officer then returned on board our vessel with the papers and demanded the one hundred kegs of blasting powder that were down on the coasting manifest and cleared from San Francisco for the Colorado river. The officer immediately sent his men into the hold and took out the powder, against which Captain Goodrum protested. The officer then took the powder from our vessel to his own, and sent word that we might go on to La Paz.

"Before leaving, the officer gave the captain two certificates—one in French and the other English, the latter reading as follows:

" 'BAY OF LA PAZ, *October* 30, 1864.

" 'This is to certify that the one hundred kegs of powder shipped in San Francisco, on the Schooner Wm. L. Richardson, to be delivered to Paul Heller, at Fort Yuma, Colorado river, is on this day taken from the vessel by the officer in command of the French war-steamer Diamant, and confiscated as contraband of war, and against the protest of the captain, George Goodrum.

" 'A. DE LA COUVE,
" '*L' officer de service.*' "

And further says that the Wm. L. Richardson was detained by the French steamer some twenty-two hours, besides being delayed two days more in consequence thereof; that the Diamant remained off the harbor of La Paz till the morning of the first of November, and then left.

And further makes oath and says that said powder was placed on board his vessel, as he believes, in good faith, and that it was his intention, in accordance with his instructions and bill of lading, to deliver the same on board the steamboat Esmeralda, in the Colorado river, some miles above its mouth, to be conveyed thence to the consignee thereof, Paul Heller, at

Tucson, within the Territory of Arizona; that the Wm. L. Richardson is one of a line of vessels contracted for by Messrs. Wadsworth & Son of Alta California, to run between the ports of San Francisco, La Paz, Baja, California, and the station within the Rio Colorado, near its mouth, whence passengers and freight for the Territories of Arizona and New Mexico are conveyed as aforesaid, by the steamboat Esmeralda, to Fort Yuma, and to points beyond; that at the time the gun was fired on board the French man-of-war, he was entering the port of La Paz to discharge some ninety tons of freight before proceeding to the mouth of the Colorado to discharge the remainder of his cargo, and was wholly innocent of any design to infringe, or to permit any other, through his agency, to infringe any belligerent regulations, and that no blockade of the harbor of La Paz existed within his knowledge, nor had any notice ever been given that such a thing was contemplated.

He further says that the said powder was entered as such in the usual and proper manner upon the Colorado river manifest.

GEORGE GOODRUM.

Subscribed and sworn to before me the date above written.

F. B. ELMER, *U. S. Consul.*

UNITED STATES CONSULATE,
La Paz, November 20, 1864.

I, the undersigned, consul of the United States of America for La Paz, &c., do hereby certify that the foregoing declaration and affidavit are true and faithful copies of the original on file in this consulate, the same having been carefully examined by me, and compared with said original, and found to agree therewith, word for word, and figure for figure.

Given under my hand and seal of the consulate at La Paz, the day and year above written.

[SEAL.] F. B. ELMER, *U. S. Consul.*

[Enclosure No. 3.—Translation of No. 2.]

PORT OF LA PAZ, MEXICO, *October* 30, 1864.

I declare having seized on board the schooner W. Richardson, Captain George Goodrum, one hundred barrels of powder, against protest of the said captain.

A. DE LA COUVE,
The officer on service.

UNITED STATES CONSULATE,
La Paz, November 22, 1864.

I, the undersigned, consul of the United States of America for La Paz, &c., do hereby certify that the above declaration is a true and faithful copy of the original filed in this office, the same having been compared by me and found to agree therewith, word for word and figure for figure.

[SEAL.] F. B. ELMER, *U. S. Consul.*

Mr. Bigelow to Mr. Seward.

No. 31.] LEGATION OF THE UNITED STATES,
February 14, 1865.

SIR: In the Gironde of Bordeaux, bearing date the 13th instant, and just come to hand, I find a note from the Danish consul at that port, of which the following is a translation:

"MR. EDITOR: Your sheet of the 10th instant contains a note apropos of the Olinde affair, in which it is stated that this vessel had been sold by Mr. Arman, the builder, to Denmark, that she had paid for it, and that Arman only learned through the journals of the change of destination of the vessel, with which he had no concern.

"Permit me to address to you the following rectification, which I beg you will have the goodness to insert in your next issue.

"The iron-clad ram built last year by Mr. Arman, and which left Bordeaux bearing the name of the Stoerkodder, has never been definitely sold to Denmark; the Danish government having, on the contrary, refused to accept a delivery of her. There has never been any question of paying her price, and she has been returned to her constructor, who has never ceased to have entire control of her.

"Accept, sir, &c.,

"E. KIRSTEIN,
"*Consul of Denmark.*"

The Gironde accompanied this letter with the following remark:

"In respect to the announcements made in this letter we have only to state that they are in absolute conflict with the information furnished to us, and which we are bound to esteem correct."

Mr. Adams telegraphed from London last evening that the Baltic was frozen over and no mail, which I suppose was intended to explain why I did not receive something more authoritative upon this subject through Mr. Wood from the Danish government in time for this mail.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to Mr. Seward.

[Extracts.]

No. 34.] LEGATION OF THE UNITED STATES,
Paris, February 16, 1865.

SIR: This being the day set apart by the minister of foreign affairs for the reception of the diplomatic corps on business, I profited by the opportunity to speak of the Stonewall case to him; with what results I will proceed to relate.

I commenced by asking if anything had been done or projected by the minister of justice, to whom his excellency was good enough to inform me that the Stonewall case had been transferred, for the punishment of the persons engaged in equipping her within the waters of France. His excellency replied that as yet the minister of justice had made no report to him upon the subject; that the case was under investigation, and the moment any result was reached, that I should be apprised of it. I asked if there was no summary process in France, as there is in England and America, for arresting persons on "probable cause," to await the result of an investigation, assuming that if there was, there could be no difficulty in showing "probable cause" against some of the parties, especially J. Riviere, who was now in Paris, and those who took out the coal. His excellency, without replying very directly to this inquiry, said that the laws of France in commercial matters were generally pretty severe; that the subject had been committed to the minister of justice with a full statement of the information elicited by the investigation of the minister of marine, as well as that communicated by me; that judicial proceedings did not usually move with such rapidity as to yield any result in so short a time; and finally, that he would see or write to Mr. Barache again upon the subject. I urged him to do so with as little delay as possible. I said that the crime committed was of a character which all our people would comprehend, and the best evidence to their intelligence that

the imperial government resented the outrage was the arrest and punishment of some at least of the offenders. I then expressed my regret that his excellency had not seen fit to entertain favorably my application on Sunday week for the benefit of his influence with Spain, and also that I had not been able to appreciate the force of his objections to such a step. His excellency replied that, with every disposition to oblige me, he did not see how he could untertake to police the waters of Spain; that he could understand perfectly how Spain could detain the Stonewall, for she was in Spanish waters, and how Denmark might intercede with Spain for her detention, for she exchanged a Danish for a confederate flag; but France stood in no such relation to the ship or to any of the parties as would justify her interference with the Stonewall in a Spanish port, nor could she without directly admitting, what he most explicitly denied, that she was a French vessel. He then recapitulated the history of the process by which he became satisfied that the ship had been sold to Denmark before he authorized her departure from Bordeaux. This I will not repeat, as he added nothing to what I have already communicated to you, except that the correspondence between him and the Danish government was conducted by telegraph. I then said that my request did not involve any decision on his part of the nationality of the Stonewall; that I was not yet prepared to discuss that question, and I hoped with his assistance it would never be necessary for us to discuss it. I simply assumed, what was now a fact of common notoriety, that a crime had been committed within the waters of France by the proprietors of the Stonewall against the laws of France; the perpetrators of that crime, or some of them, were easily identified; the Stonewall was the *corps de delit*. I only asked of the French government not to demand as a right, but simply to intimate a wish to the Spanish government, that the Stonewall should be detained to await the result of this investigation. I said I had reason to believe the Spanish government would be happy to have such a pretext for adhering to a line of policy to which it has already partially committed itself. I here at his request recapitulated briefly what the Spanish government had done, not doubting all the while that his excellency knew a great deal more about it than I did myself.

I then went on to point out the analogy, which in my communication of the 5th instant I had not been fortunate enough to make apparent to his excellency, between the cases of the Rappahannock and the Stonewall. The former vessel entered a French port and wished to complete her equipment that she might go out and prey upon the commerce of a friend of France; his excellency tied her up in Calais and there she lies to this day. The Stonewall came into French waters to do the same thing, to complete her equipment, that she might also prey upon the commerce of the United States. No matter what flag she bore when she entered the port, what she proposed to do, what she actually did, was a crime against the laws of France. The Stonewall is now repeating the offence in the waters of Spain. France, in vindication of her outraged laws, can with perfect propriety request Spain to do what she has herself already done under similar circumstances, more especially as Spain, I was convinced, would welcome the co-operation of France in support of such a policy.

His excellency listened to what I said with profound attention, and did not contest any of my positions, not even the analogy of the Rappahannock case, which he had questioned in his despatch of the 7th. He avowed the most earnest desire to co-operate with me in any practicable effort to arrest the career of this vessel, but he said he had no authority to assume any one guilty of a crime, when a colleague in the government was specially charged to investigate the question. If he were to instruct Mr. Mercier upon the assumption that a crime had been committed, he might be obliged to-morrow to countermand his instructions. He did not wish to move in the matter without something to shelter him from responsibility to his colleagues. If Mr. Barache would simply say to him that a crime had been committed, of which the Stonewall was the *corps de*

delit, he then would be able to act. He said he would take occasion to see Mr. Barache at once and ascertain the position of the case, and allowed me to infer that he would do all he could in the premises without compromising his own government. I repeated to him that it had been and was no part of my purpose at this interview to discuss the nationality of the Olinde, now called the Stonewall, but simply to invoke his friendly co-operation with us in persuading Spain to detain the vessel if only for a few weeks, during which time events were likely to occur that would relieve us of any further trouble on her account. Here his excellency, while expressing entire willingness to do his best for us as soon as he could receive suitable assurances from the minister of justice, remarked that he had gathered from Mr. Mercier's communications that that gentleman had already allowed the Spanish government to see that the detention of the Stonewall would not be ungrateful to him. * * * * *

I have here given, I believe, the spirit of a long conversation, with the tone of which, on the part of Mr. Drouyn de Lhuys, I felt perfectly satisfied. I think the subject is one in dealing with which he is obliged by the political exigencies of his position to act with great circumspection; but so far as I could gather from his language, tone, and manner, he was fully impressed with the justice of what I asked, and I shall be surprised if he does not promptly manifest through suitable channels a new interest in preventing the escape of the Stonewall. I only hope his efforts may not be made too late.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 46.] DEPARTMENT OF STATE,
Washington, February 21, 1865.

SIR: I have the honor to acknowledge the receipt of several despatches from you, relating to a piratical vessel which was built for the insurgents by Arman, ship-builder at Bordeaux, went under a sale, or negotiation for sale, to Copenhagen, came from that port to Honat island, received an armament and a crew there from an English steamer, and coal from a French steamer, and then took her departure in a southwesterly direction. These despatches are: No. 13, dated January 30th; No. 14, dated January 31st; Nos. 16 and 17, both of which bear the date of February 3d. I have also received several telegraphic despatches in relation to the same vessel from our very vigilant consul at Nantes.

I have also received advices from our minister at Madrid, to the effect that a piratical vessel from Copenhagen has put into Ferrol for repairs, which vessel may or may not be the one to which your despatches refer. The knowledge of the affair which we have thus far been able to acquire is very vague and unsatisfactory. It is uncertain whether there are not at large two of the vessels built at Bordeaux for the insurgents, instead of one. We cannot certainly ascertain whether the vessel which was reported at Ferrol is the same vessel which is also reported at Corunna, under the name of the Shenandoah. We cannot definitely decide whether the Danish government has been derelict in the performance of international duty, nor will we for a moment believe that the French government has intentionally permitted its faith to be compromitted. We do not yet certainly know that the vessel or vessels in question have passed into

the hands of the rebels. It is only in general terms, therefore, that I am able to write upon the subject, and what I do must be on condition that the facts represented shall be verified. I approve the communication you have addressed to Mr. Drouyn de Lhuys, and I sincerely hope that the next steamer may bring us intelligence that the Emperor's government has adopted effectual means to vindicate its sovereignty, and to defeat those of its subjects who have engaged in this new attempt to commit it to a war with the United States. You are authorized to say this to Mr. Drouyn de Lhuys, and to add that this government will expect indemnity for whatever injuries to the United States shall be inflicted by the pirate vessel in question from the parties to whom, in the end, the responsibility shall be traced; that after an endurance of covert war from the subjects of maritime states, of which we admit with pleasure that France has not been one, but which covert war has been rendered practically effective by the policy in which all the maritime states have hitherto concurred, in opposition to the unremitted remonstrances of the United States, this government now expects that the maritime powers will rescind all decrees, orders, and regulations, by which they concede belligerent naval privileges to vessels built, fitted out, armed and equipped in foreign states with which the United States are maintaining relations of peace and amity. I reserve more definitive instructions until we shall hear your report of the proceedings of the Emperor's government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq, &c., &c., &c.

Mr. Seward to Mr. Bigelow.

[Extract.]

No. 50.] DEPARTMENT OF STATE,
Washington, February 22, 1865.

SIR: * * * * * *

From the account which you give me of the state of opinion on American affairs now prevailing in Paris, I infer that there is less cause than heretofore for anxiety about our relations with the Emperor. If we can be fortunate enough to avoid actual collisions between the armed subjects or authorities of the European powers and our own, by sea as well as by land, time and events may then be expected to render easy of solution political questions which now it is even hazardous to touch. I trust that the affair of the Olinde may prove to be one in which we are to suffer no injury, and so have no cause of complaint against France.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c., *Paris.*

Mr. Seward to Mr. Bigelow.

No. 51.] DEPARTMENT OF STATE,
Washington, February 27, 1865.

SIR: Your despatch of the 10th instant, No. 28, informing me of the movements of the insurgent vessel Stonewall, and suggesting that the commanders of

United States vessels-of-war in foreign waters be instructed to notify the legations of the United States in those countries with which they are in communication, of their arrival and departure from port, has been received and is approved. I have invited the especial attention of the Secretary of the Navy to your suggestion concerning the movements of United States vessels-of-war in foreign waters.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 53.] DEPARTMENT OF STATE,
Washington, February 27, 1865.

SIR: Your despatch of the 6th instant, No. 19, which relates to the movements of the insurgent steamer Stoerkodder, alias the Olinde, alias the Stonewall, and to your proceedings with a view to her detention or seizure, has been received, and is approved.

I lost no time in submitting it to the consideration of the Secretary of the Navy.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Bigelow to Mr. Seward.

No. 39.] LEGATION OF THE UNITED STATES,
Paris, February 28, 1865.

SIR: Enclosed you will find a rejoinder from his excellency the minister of foreign affairs to my communication of the 31st of January last, in reference to the *repatriation* of William Horace Castaned, of Mobile, an inmate of a work-house at Graffenstaden.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Drouyn de Lhuys to Mr. Bigelow.

[Translation.]

Paris, February —, 1865.

SIR: I received the letter which you did me the honor to write me the 31st January last in reference to the request of M. the Prefect of Bas Rhin, with a view of obtaining the return to his country of young Castaned, (William Horace,) a native of Mobile, United States, at present apprentice workman at the work-house of Graffenstaden.

In informing me that, in accordance with my desire, you will not fail to communicate this

request to your government, you add that, "it is your duty at once to discourage any hope of relief from that quarter, since, though it is ever ready to succor generously, without regard to nationality, the destitute residing within the territory of the United States, except by its example, it does not project its charities beyond its frontiers."

Permit me to remark, sir, that these observations do not meet the purpose of the demand which I had the honor to address to you. It is not a question of public or private aid that destitute foreigners (even though they be neither ill nor insane) are sure of finding upon any point whatever of French territory—aid of which young Castaned, abandoned by his family and his country for two years past, has experienced the disadvantage.

The request of M. the Prefect of Bas Rhin has for its special object the *restoration to his country* of this young man, and I do not doubt that the government of the United States, informed by you of the state of distress in which one of its citizens finds himself in France, following the example of all other foreign governments, will at once furnish him with the means to return to his native country.

Receive, sir, the assurances of the most distinguished consideration with which I have the honor to be, your very humble and very obedient servant,

DROUYN DE LHUYS.

JOHN BIGELOW, Esq.,
Chargé d'Affaires of the United States at Paris.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 40.] LEGATION OF THE UNITED STATES,
PARIS, *February* 28, 1865.

SIR: On Sunday morning, the 25th instant, I was called upon very early by a Mr. ———, who brought me enclosure No. 1 from Commodore Craven, of the Niagara, then lying at Ferrol.

Mr. ——— informed me that it was his impression that when Commodore Craven came around from Corunna to Ferrol, he had intended to run into and sink the Stonewall, but he found her lying in such a position on his arrival, fortunately, as to render the success of such an assault doubtful. Mr. ——— also says, that if the Stonewall were to run into the Niagara in the bay, of which Commodore Craven is not without apprehension, she would sink the frigate in two minutes, or if she were to fire one of her three-hundred-pound shots into her, the result would be nearly as fatal. Either of these contingencies he seemed to think the Stonewall might possibly be desperate enough to attempt, and trust to our example in the port of Bahia for her justification in the eyes of the world.

Craven keeps his steam up, and his cable ready to slip at any moment, so that he cannot be overtaken by anything but the shot of the Stonewall in the harbor.

The Sacramento has reached Ferrol, and in an open and rolling sea. I understand that Craven feels no anxiety about the result of a combat, though it is apparent from his letter that he is hoping anxiously to be re-enforced by a monitor.

I cannot hear of Page in Paris, though Mr. ——— informs me that he tracked him one day in his advance from Spain at every station into France, and I have no doubt he is now here; I heard that a gentleman of my acquaintance had seen him here. I thought my authority for believing him here sufficient for addressing enclosure No. 2 to his excellency the minister of foreign affairs, on the 26th instant. It occurred to me that it could do no harm to have the government assign as a reason for not proceeding against Page, that they did not know his address, for that would imply that they had no other reason. If, on the other hand, they had other reasons, I was equally certain that it could do no harm to know what they might be.

A private note from Mr. Perry, which accompanied his despatches for you, sent here for my perusal, and which I forward by this mail, mentions

that a *commission rogatoire* has been issued by the French government to take testimony in Spain in regard to the escape of the Stonewall. From this he infers, correctly no doubt, that this government is more active in the matter than it is disposed to admit to us.

Mr. ——— returned to Ferrol by last evening's train, bearing enclosure No. 3 to Commodore Craven, and this was intended as a private note, but I find, upon reflection, that it deserves to enter into the official record of my proceedings in this case.

* * * * * * * * *

I am sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Enclosure No. 1.]

Mr. Craven to Mr. Bigelow.

UNITED STATES SHIP NIAGARA,
Ferrol, February 20, 1865.

DEAR SIR: Your letter of the 13th instant I have just received. As I have already informed you by telegrams, I arrived at Corunna on the morning of the 11th instant, and there learned that the rebel ram Stonewall, Captain Thomas J. Page, had put into that port on or about the 2d instant, in a leaky condition; and after remaining there three days went to Ferrol for repairs, and that she would be ready for sea on or about the 14th instant. On the evening of the 15th I came here and was informed on the following morning by the military and civil governors of the place that the Stonewall had been reported as being ready for sea, but her commander had not appointed a day for sailing. On the morning of the 17th our consular agent came on board, and in great glee informed me that the governor had called upon him, and said that Captain Page had asked if there would be any objection on the part of the Spanish government to his absenting himself for a few days for the purpose of visiting Paris; that his vessel still leaked badly, and he wished to confer with the confederate commissioners in relation to selling the Stonewall, or compelling the contractors to take her back, as she did not come up to contract and was not seaworthy. On the evening of the 17th, Page took passage in a Spanish war-steamer for Corunna, *en route* for Madrid and Paris. On the evening of the 18th, our consular agent for Corunna came on board and informed me that Page had given out to the people at Corunna that his repairs were all completed, and that he was going to Paris for the purpose of purchasing another vessel.

When I arrived at this port, there was lying lashed to the port-side of the ram a Spanish government hulk, in which were deposited her stores, ammunition, &c., and for the first two days after our arrival I noticed that their deck-pumps were frequently used, but for the last two or three days these symptoms of leakage have disappeared. The Spanish corvette (hulk) was hauled off from her side yesterday morning, and to-day she is taking in coal and appears otherwise ready to sail at any moment. I am inclined to suspect all reports relative to the continuance of her leak as being "humbug," or, in other words, she is "playing possum."

She is a very formidable vessel, being completely cased with five-inch plates of iron. Under her top-gallant forecastle is her casemated 300-pounder Armstrong gun. On her quarter-deck in a turret are two other rifled guns, 100 or 120 pounders; besides these she has two smaller guns in broadside.

If she is as fast as reputed to be in smooth water, she would be more than a match for three such ships as the Niagara. So, sir, you will readily perceive I am placed in a most unenviable predicament, and that our only chance for cutting short her career rests upon the possibility of detaining her here until such time as our government sees fit to send out the necessary re-enforcements.

In regard to the refusal of the French government to intervene in this matter, on the ground that the ram was a Danish vessel, &c., &c., it appears to me that the plea is a *forced* one. The vessel never was owned by the Danish government, and Mr. Arman had never completed the sale of her to any other party; and so far as the fitting of her out and supplying her with arms, ammunition and a crew, it was done in *French waters*, in a French port or roadstead—just as much in violation of neutral rights as if it had been done in the harbor of Cherbourg or of Brest.

If she had been run down or captured by one of our vessels at the Isle of Houat, the French would not be long in discovering that we had committed a breach of neutrality in their port and a gross outrage upon their flag.

As for the report of the Iroquois having been seen in Quiberon bay, I am inclined to believe it false, and grew out of the fact that another one of these vessels built for the rebels at Nantes, and afterwards sent to Denmark, was about Belle Isle at that time, and sailed thence under the confederate flag.

On account of the tardiness of the mails, I purpose sending this despatch by a special messenger.

I am, my dear sir, very truly yours,

THOMAS T. CRAVEN.

Hon. JOHN BIGELOW,
Chargé d'Affaires, &c., &c., &c., Paris.

[Enclosure No. 2.]

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, February 27, 1865.

SIR: I am informed that Thomas J. Page, the captain of the confederate steamer Stonewall, is now in Paris.

Your excellency is doubtless aware that Captain Page was on board of the Stonewall when, under the name of Stoerkodder, she left Copenhagen, and that he superintended her partial equipment for the confederate service, in the bay of Quiberon, the last week of January last, and that he was in command of her when she sailed from Quiberon bay to the port of Ferrol, in Spain, where she now lies.

By his part in that proceeding, I am advised that Captain Page was guilty of a gross violation of the laws of France, and incurred the penalties of fine and imprisonment.

I hasten to bring the fact of his presence in Paris to the notice of your excellency, that such steps as are proper may be taken by the imperial government for the punishment of a crime which was not only an abuse of the hospitality of France, but a deliberate outrage upon a friendly power.

I avail myself of this occasion to renew the assurance of the very high consideration with which I have the honor to remain, your excellency's very obedient and very humble servant,

JOHN BIGELOW, *Chargé d'Affaires.*

His Excellency M. DROUYN DE LHUYS,
Minister of Foreign Affairs, &c., &c., &c.

[Enclosure No. 3.]

Mr. Bigelow to Commodore Craven.

UNITED STATES LEGATION,
Paris, February 27, 1865.

DEAR COMMODORE: I received your despatch by private messenger yesterday morning. I hope, and incline to believe, that your apprehensions in regard to the Stonewall are unfounded, though the risks are sufficient to justify every precaution. I think the French government has signified to the Spanish government as decided a wish for the detention of the Stonewall as could be reconcilable with its theory of irresponsibility for her movements. It insists, moreover, that the Stonewall was a Danish vessel, which, it is true, abused the hospitality of French waters, but escaped before her presence was recognized by the official authority. I have as yet no official evidence which authorizes me to dispute the allegation that the Stonewall was actually a Danish vessel when she entered Quiberon bay, though I am daily expecting the Danish view of the case from our minister at Copenhagen. I have not neglected to present to this government every view of the case which seemed likely to dispose it to assist in detaining the Stonewall, and have insisted with as much pertinacity as I thought became my position upon their concurrence with the Spanish government and our own to this end. That steps have been taken to punish some of the parties engaged in equipping the Stonewall and conniving at her escape there is no doubt. To what stage these efforts will be carried time will determine.

In regard to your own position I hardly feel competent to advise you. If you have reason to apprehend any danger to your vessel from the Stonewall in the harbor, you have but one of two courses to pursue—either you must go out into the open sea where you may encounter your enemy on fair terms, or you must take steps to deprive her of the means of injuring you. What those means should be you alone are competent to judge. Captain Page has certainly made very public the statement that his ship was in a very distressed condition when it entered Ferrol, and is unable to cross the ocean. A letter from one of the officers

has reached Paris of the same tenor. Whether these statements are made to mislead, or are genuine, you can best judge. I would counsel extreme prudence in all your relations with the Spanish authorities. The United States cannot afford to establish a precedent which it would not be willing to accept as a rule. The position of our affairs at home is not so desperate as to afford us any justification for irregular or lawless warfare, even if justifiable under different circumstances. An act of lawless violence perpetrated upon your vessel by the Stonewall in a port of Spain would probably do your country and its cause more good, and do the confederates more damage, than the Niagara ever has or can hope to accomplish in any other way.

But it does not become me to repeat such commonplaces to an officer of your experience and reputation. I hope most sincerely that you may pass through your present, as through your past difficulties, with success, as I am sure you will pass them through with honor. I shall wait anxiously for news from you and from your gallant companions. I only regret that I have nothing more definite and satisfactory to offer you in the way of counsel.

I am, however, very sincerely yours,

JOHN BIGELOW.

Commodore THOMAS J. CRAVEN, *United States Navy.*

Mr. Bigelow to Mr. Seward.

[Extracts.]

No. 41.] LEGATION OF THE UNITED STATES,
Paris, March 3, 1865.

SIR: I have to acknowledge the receipt of despatches Nos. 39 to 42, inclusive. I received yesterday from Mr. Dudley, our consul at Liverpool, a letter informing me that that portion of the crew of the confederate cruiser Florida which was liberated at Boston were paid off at Liverpool on the 20th of February last, and to each was given leave of absence till the 10th instant, when they were to report for duty on board of the Rappahannock, at Calais. I immediately wrote enclosure No. 1 to Mr. Drouyn de Lhuys, and at an interview which I had with his excellency in the afternoon placed it in his hands. His excellency read it, expressed dissatisfaction with the alleged conduct of the vessel, and said it should be looked into at once. I remarked that I did not suppose I could say anything that would make the duty of the government in reference to this abuse of the hospitality of France more clear, and then I went on to other business. In the course of my conversation upon other topics I had occasion to refer again to this vessel, as you will see in despatch No. 42, when he said, "I shall send a copy of your letter to the minister of marine at once," intimating at the same time his decided disapproval of the use made of the Rappahannock, and his determination to have it stopped. * * *

I have written to our consular agent at Calais to keep me fully advised of everything that may occur on board the Rappahannock, especially between this and the 10th instant.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, March 2, 1865.

SIR: I am informed by our consul at Liverpool that the men captured from the steamer Florida, formerly in the service of the insurgent States of America, when liberated at Boston, came to Liverpool, where they were landed on the 16th of February last, and were paid off by Lieutenant Morris, late commander of the Florida, at the office of Fraser, Trenholm & Co., on the 20th following. At the time of their payment Lieutenant Morris gave to each man a certificate, of which the following is a copy, except the names:

"LIVERPOOL, *February* 20, 1865.

"Peter Mott, seaman, has leave of absence until the 10th day of March, 1865, on which day he will report on board the confederate steamer Rappahannock for duty.

"C. M. MORRIS, *Lieutenant Commander.*"

This report corresponds with information which has reached me from other consular officers to the effect that the Rappahannock, now lying at Calais, is used as a receiving ship for the insurgents.

I presume that I have only to direct your excellency's attention to this abuse of the hospitality of France to have it stopped. I take it for granted that the enemies of the United States will not be permitted "to rendezvous" on the soil or in the waters of the empire. Permit me to invite your excellency's attention specially to the fact that the seamen of the Florida are to report for duty to the so-called confederate government on the 10th instant, and to express the hope that the imperial government will not only make an example of these offenders against the laws of France and the violation of her hospitality, but will also take measures to prevent a repetition of the offences.

I avail myself of this occasion to renew to your excellency the assurance of high consideration with which I have the honor to be your very obedient servant,

JOHN BIGELOW.

His Excellency M. DROUYN DE LHUYS,
Minister of Foreign Affairs, Paris.

Mr. Bigelow to Mr. Seward.

No. 42.] LEGATION OF THE UNITED STATES,
Paris, March 3, 1865.

SIR: I availed myself yesterday of a favorable opportunity to present to Mr. Drouyn de Lhuys the subject of your despatch No. 28*. I began by saying that some time since, in the summer or fall of last year, Mr. Benjamin, the secretary of state of the insurgent States of America, addressed to the principal powers of Europe, and notably to France and England, some new dogmas in regard to the rights of neutrals which were adapted to the exceptional situation of the insurgent government. One of these dogmas contemplated the case of the capture of an enemy's vessel laden in whole or in part with neutral cargo, (No. 2.) A second contemplated the case of the capture of a neutral vessel laden in whole or in part with enemy's cargo; and a third case contemplated the capture of a vessel suspected of belonging to the enemy and sailing with false papers under a neutral flag. "In all these cases it is proposed by the insurgent government," I remarked, "to treat the quarter-deck of their cruisers as a port, and the captain's will or caprice as a competent tribunal for the adjudication of prizes." "These dogmas," I continued, "have been pressed upon the attention of the great maritime powers of western Europe I am told, and I am instructed to inquire of your excellency what view the Emperor's government took of them, and what reply was given to those who submitted them."

Mr. Drouyn de Lhuys replied, "that he remembered to have received a communication answering generally to the description I had given, though he could not remember the details; he remembered distinctly that he declined the proposals and never made any answer whatever to the communication."

I said that his answer did not surprise me, but that I thought it just to inform him that the representative of the insurgent organization in Paris had conveyed a very different impression to Mr. Benjamin; that Mr. Slidell had, in fact, represented his excellency as favorable to the new dogmas and disposed to intercede in their favor with the British ambassador at Paris.

His excellency then went on to say that "he had submitted the paper to two of his colleagues, who were entitled to be consulted upon such subjects, and they decided that they could not entertain such doctrines; that he might have asked

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* Same, *mutatis mutandis*, as No. 1256 to Mr. Adams.

what the English government proposed to do upon the subject, though he did not remember to have done so, and thinks he did not, but he might have done so. He felt quite sure he had not written anything on the subject, for he had never treated the representative of the Confederate States in a way that would admit of any official correspondence with him. Whether this remark was general or limited to this particular subject, I will not be sure.'"

I said, "No, it is not pretended that your excellency wrote anything upon the subject, though Mr. Slidell did communicate to Mr. Benjamin a letter written in French by 'a friend,' as he styled him, 'in the ministry of foreign affairs,' my information is not sufficiently authentic." I added parenthetically, to justify me in naming the person probably referred to, "in that letter your excellency is represented as favorable to the new dogmas, and disposed to confer about them with Lord Cowley, whom you were expecting to meet at Compiegne."

His excellency then repeated substantially what he had said before, but a little more cautiously, and without any intimation that "the friend," in the Foreign Office, had or had not committed any offence in writing what he did. The impression that I received was that the confederate agents, for reasons which may be susceptible of different interpretations, were permitted to suppose that their proposals were entertained not unfavorably.

I expressed my satisfaction with what he had said to me, and which I should have pleasure in communicating to my government. I then went on to say that this was a subject which interested us only indirectly, as the insurgents were our enemies, but we, of course, could not be indifferent to any new doctrine of neutral rights which the two great maritime powers of western Europe might be disposed to entertain. Though I had executed my instructions in addressing to his excellency the questions to which he had so satisfactorily responded, I hoped that he would allow me to make a suggestion which seemed worthy of the attention of his government. Without vexing the question of belligerent rights originally accorded to the insurgent States, I submitted to him whether vessels built and equipped notoriously in violation not only of international law, but of the municipal laws of the country from whence they took their departure, for, I added, the insurgents have not a single vessel afloat which was not built and equipped in violation of the municipal laws of France or England, were entitled to the belligerent privileges which both these countries were in the habit of according to them. He interrupted me here to say, "There seems to be great justice and strength in the point you take."

I went on to say, "there is the Rappahannock, now lying at Calais, (about which we had already had some conversation, referred to in another despatch of this date,) she was taken out of England in violation of the laws of that country, and not a day has elapsed since her arrival in Calais that she has not transgressed the laws of France." "I cannot see," said, I, "why it is not perfectly consistent with the theory of belligerent rights which the Emperor adopted at the commencement of the war to withhold the privileges of belligerents from parties who respect neither your laws nor the best-established principles of the law of nations."

His excellency listened to this with profound attention, by frequent inclination of his head, assenting apparently to everything I said, and then remarked that he should send a copy of my letter, in relation to the use of the Rappahannock as a receiving-ship, to the minister of marine, and he would have that stopped.

He seemed impressed with the suggestion I had made, and which he was evidently willing that I should think that he approved of. I told him if the imperial government could only see its way to give of its own motion to our government some such practical evidence of its friendly dispositions as I had suggested, for I said I had no authority to ask anything of the kind, and to grant it upon a formal application would strip it of half its value, I begged to assure him that it would exert a most desirable influence upon both sides of the Atlantic. His excellency then went on to reassure me of the friendly dis-

positions of the government, and of his determination to do everything he could to cultivate a perfect understanding with us, &c.

There was something in his manner, if not in his words, and in the whole tone of his conversation, of which I have given but a very brief abstract, that gave me the impression that the policy of his government towards the United States had recently undergone, or was about to undergo, a substantial change, provided nothing new occurred on our side to disturb the present tendency of events.

As I was about leaving his excellency mentioned that the Marquis de Chateaurenard had been prevented by illness in his family from going to the United States to replace Mr. Mercier, and that the Count de Montholon had been appointed by the Emperor as minister plenipotentiary at Washington. His commission was signed on Tuesday, the 2d instant. Mr. Montholon was for so many years consul-general of France at New York, where, I believe, he became united to one of our countrywomen by marriage, that it is unnecessary for me to attempt to give you any information in regard to him. As Mr. Drouyn de Lhuys did not speak of him to me as the present minister of France in Mexico, I did not feel at liberty to inquire why his residence in that country was so brief, or who, if any one, was destined to replace him.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Bigelow to Mr. Seward.

No. 43.] LEGATION OF THE UNITED STATES,
Paris, March 6, 1865.

SIR: In consequence of information received from Mr. Dudley, our consul at Liverpool, this morning, I addressed a note, of which I enclose a copy, to his excellency the minister of foreign affairs.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c.

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, March 6, 1865.

SIR: I am advised that the former crew of the corsair Florida, to whom the captain gave an order to rendezvous on board of the Rappahannock, at Calais, on or before the 10th instant, as stated in the communication I had the honor to place in your excellency's hands, on the 2d instant, are to be taken from Calias to the rebel steamer Stonewall now lying at Ferrol.

I hasten to bring this information to your excellency's knowledge, that the parties who may be concerned in the perpetration of this crime against the laws of France may receive speedy and condign punishment.

I beg your excellency will accept the assurances of the very distinguished consideration with which I have the honor to be, your excellency's very obedient and very humble servant,

JOHN BIGELOW.

His Ecellency Mr. DROUYN DE LHUYS,
Minister of Foreign Affairs, &c.

Mr. Seward to Mr. Bigelow.

No. 58.] DEPARTMENT OF STATE,
Washington, March 6, 1865.

SIR: Your despatch of the 10th instant, No. 27, relative to the effects produced by the reading of the encyclical letter of the Pope by certain bishops of France to their congregations, in defiance of the warning issued by the imperial government, has been received. I consider it a very interesting paper upon an important question in the domestic politics of France.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 59.] DEPARTMENT OF STATE,
Washington, March 6, 1865.

SIR: Your despatch No. 26, of the 10th ultimo, announcing to me as a propitious omen the transfer of the inquiry which had been instituted by the minister of marine into the circumstances connected with the appearance of the Olinde off the French coast, to the department of his excellency the keeper of the seals and minister of justice, has been received. I reserve the consideration of the subject until we receive more accurate information.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 60.] DEPARTMENT OF STATE,
Washington, March 7, 1865.

SIR: I have to acknowledge the receipt of your very interesting despatch of the 9th ultimo, No. 24, informing me of the opinion entertained by Prince Murat of the sudden departure of the King of Italy from Turin for Florence.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 64.] DEPARTMENT OF STATE,
Washington, March 7, 1865.

SIR: Referring to your despatch of the 10th ultimo, No. 28, I have the satisfaction of informing you that the Secretary of the Navy, in a letter of the 6th instant, has notified me that, in compliance with your suggestion, instructions will be given to the commanders of our vessels in European waters to communicate freely with the respective legations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq, *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 49.] [LEGATION OF THE UNITED STATES,
Paris, March 10, 1865.

SIR: Referring to your despatch, No. 43, relative to the removal of one hundred barrels of blasting powder from the United States schooner William L. Richardson, at La Paz, by the commander of a French vessel-of-war, I have the honor to enclose a copy of a letter on the subject, which I placed in the hands of his excellency the minister of foreign affairs to-day. As the statement of Captain Goodwin is on the files of the State Department, I omit it here.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, March 9, 1865.

SIR: It appears from information which has reached my government from F. B. Elmer, United States consul at La Paz, in Mexico, that the United States schooner William L. Richardson was arrested on her voyage from San Francisco to the mouth of the Colorado river on the 30th of October last, and one hundred kegs of blasting powder taken from her hold, by the commander of the French war steamer Diamant, under circumstances which, if correctly reported to us, cannot, I am persuaded, receive the approval of the Emperor's government.

The powder is represented to have been consigned to Paul Hillen, at Tucson, in Arizona Territory, for mining purposes. It was on board a vessel belonging to a line contracted for to ply between San Francisco, La Paz, Bajir, and the station near the mouth of the Rio Colorado, whence passengers and freight are embarked for Fort Yuma and points beyond in the Territory of Arizona.

The facts, as understood by my government, are fully set forth in the annexed statement, made and sworn to by Captain Goodwin, the master of the William L. Richardson, before the United States consul at La Paz, on the 2d day of November last.

While the United States government is not disposed to contest the belligerent right of France to prevent contraband of war from reaching Mexico during the existing hostilities, it assumes that the Emperor's government will be equally indisposed to interfere with perfect free trade in all communities between the several ports of the United States.

I have, therefore, to request your excellency to inform me whether the Emperor's government is in possession of any information conflicting with the statement of Captain Goodwin which would invalidate a claim by our government on his behalf for indemnity for the value of the powder taken from his ship and for her detention at La Paz.

I beg to renew to your excellency the assurances of the very distinguished consideration with which I have the honor to be your excellency's very obedient and very humble servant,

JOHN BIGELOW.

His Excellency Mr. DROUYN DE LHUYS,
Minister of Foreign Affairs, Paris.

Mr. Seward to Mr. Bigelow.

No. 67.] DEPARTMENT OF STATE,
Washington, March 11, 1865.

SIR: I have received your interesting despatch of the 23d of February, No. 37, and I approve of your proceedings therein mentioned.

I trust that the course of events in this country is such as to warrant you to say, in answer to inquiries about peace, that the end of the war is believed to be at hand, and that it will be attended with the extirpation of slavery and the salvation of the Union.

In regard to apprehension of aggression by the United States on the restoration of peace, you are authorized to say that no such policy is entertained by

this government, and that just so far as such apprehensions prevail, by reason of a belief that the national will, under high excitement, may overrule the peaceful purposes of the executive government, each European state has the control of the question in its own hands. A due concession of our national authority over all our territory and all our citizens would disarm all popular animosities against any foreign state.

Friendship tendered to us will, in any case, be reciprocated as it always has been.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Bigelow to Mr. Seward.

No. 56.] LEGATION OF THE UNITED STATES,
Paris, March 15, 1865.

SIR: I have the honor to enclose a copy and a translation of a communication this day received from his excellency the minister of foreign affairs, announcing the appointment of the Marquis de Montholon to represent the Emperor of France in the quality of envoy extraordinary and minister plenipotentiary at Washington.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Drouyn de Lhuys to Mr. Bigelow.

[Translation.]

PARIS, *March* 7, 1865.

SIR: Considerations altogether private placing an obstacle to the departure of M. le Marquis de Chateaurenard, the Emperor has called upon, to represent him in the quality of envoy extraordinary and minister plenipotentiary at Washington, M. le Marquis de Montholon, to whom I have just transmitted the order to proceed without delay to his new post.

It gives me pleasure to announce to you this appointment, in order that you may immediately inform the federal government thereof. It will learn, I think, with satisfaction, that the choice of his Majesty has fallen upon an agent who, during his former long residence in America, has been able to establish there numerous and sympathetic relations, the influence of which will be turned, as we do not doubt, to the advantage of the relations of good friendship which we are anxious to entertain with the government of the United States.

Receive, sir, the assurances of the most distinguished consideration with which I have the honor to be, your very humble and very obedient servant,

DROUYN DE LHUYS.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Bigelow to Mr. Seward.

No. 60.] LEGATION OF THE UNITED STATES,
Paris, March 17, 1865.

SIR: A few weeks since Mr. J. Zumpstein, an accredited agent for Europe of the American Emigration Company, of which Mr. A. G. Hammond, of Hartford, Connecticut, is president, called upon me to say that an application which he had made for an authorization to contract for the transport of emigrants through Havre to the United States had been refused by the minister of the interior, and requesting my mediation. As this unexpected obstacle disarranged

all the plans of the company very seriously, I called upon Mr. Behic, the minister of the interior, to know if his refusal rested upon facts or impressions which were susceptible of explanation or modification; if so, I said I should be happy to mediate in behalf of Mr. Zumpstein, who represented an enterprise for which France, I was persuaded, had no reason to feel otherwise than kindly. Mr. Behic remembered having signed the letter I referred to, but the motives of his refusal had passed from his mind, and he requested me to send him a written communication on the subject, when he promised to look into it.

I replied that I had no authority nor intention to make a diplomatic question of the matter; if I had, I should have addressed myself directly to the minister of foreign affairs. I came to his excellency, not to discuss the right or the propriety of refusing the privilege solicited by Mr. Zumpstein, but simply to offer such explanations as might do away with erroneous impressions, if any existed, in regard to his enterprise. Mr. Behic then suggested that Mr. Zumpstein should address a note to him, through me, and he would send me his answer. I promised that Mr. Zumpstein should avail himself of this proposal, and in a day or two addressed to his excellency enclosures Nos. 1 and 2. After the lapse of a couple of days, the head of one of the bureaus of the ministry of the interior called and said that Mr. Behic had instructed him to say, in reference to the subject of my communication, that I must address myself to the minister of foreign affairs. I replied by stating the circumstances which led me to make my communication of the 8th instant to Mr. Behic; that I had no instructions to make a diplomatic question of it, and, without instructions, I did not feel authorized to bring it to the attention of the minister of foreign affairs. There the matter now rests. I shall not renew the subject, unless you instruct me to do so. If the ministers should revive it, I presume I can satisfy them of the harmlessness of Mr. Zumpstein's enterprise, unless it should seem to them likely to interfere with recruiting for Mexico. Should the weather continue so unfavorable for another fortnight as for some time past, I think this government will feel grateful to any company that will relieve them of a few thousand of their surplus population before another New Year's day is past.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Bigelow to Mr Behic.

LEGATION OF THE UNITED STATES,
Paris, March 8, 1865.

DEAR SIR: In compliance with the intimation which I had the honor to receive on Thursday last from your excellency, I take leave to enclose a note I have received from M. Zumpstein, agent for France of the American Emigrant Company. Will your excellency have the goodness to inform me whether the grounds upon which Mr. Zumpstein's application was denied are of a nature to be modified by any explanations as to the character and objects of the company which I might be able to make? If so, I should be most happy of an opportunity to wait upon your excellency at your convenience.

I embrace this occasion to assure your excellency of the high consideration with which I have the honor to be your excellency's most obedient and most humble servant,

JOHN BIGELOW,
Chargé d'Affaires.

His Excellency the MINISTER OF
AGRICULTURE, COMMERCE, AND PUBLIC WORKS.

Mr. Zumpstein to Mr. Bigelow.

GRAND HOTEL, *March* 9, 1865.

SIR: The American Emigrant Company, chartered under the act of Congress of July 4, 1864, for the promotion of foreign emigration, appointed me in December last its general agen

for the empire of France. My authority and my instructions require me to reside at Havre to organize agencies and correspondencies in France, Belgium, and Switzerland, and through them, and by the circulation of information in regard to the United States, to invite and encourage emigration thither. A copy of my instructions, and of the power under which I am to act, are enclosed for your better information. On my arrival, and under the advice of M. ——— ———, commissioner imperial de l'emigration au Havre, I addressed to his excellency the minister of agriculture, commerce, and public works a request for an authorization to engage and transport emigrants from the port of Havre to the United States, that being the most convenient port of departure for emigrants from Belgium, Switzerland, and France.

On the 19th of February last I received a note from his excellency the minister of agriculture, commerce, and public works, informing me, briefly, that he was not able to accede to my request. But for the conviction that his excellency is laboring under some erroneous impression in regard to the nature and motives of the agency with which I am charged, I should feel that my business at Havre was closed, and should have retired without troubling you further than, perhaps, to notify the legation of what had occurred. But, as the company which I represent consists of some of the most distinguished and philanthropic men in the United States, as it was organized to operate under the laws and institutions of foreign nations, and not in conflict with any of them, as its ends are all humane, and as, in the opinion of its projectors, it reserves the special encouragement of the more populous countries of Europe, where land is dear and labor cheap, I have deemed it my duty to bring my situation to your notice, that you may determine whether it would serve any useful purpose for you to invite an opportunity of explaining the character and objects of the American Immigrant Company, and of ascertaining whether the ports of France are irrevocably closed against such passengers as this company may undertake to send to the United States. If, upon the oral explanations I have already given you, and after a perusal of the papers which I leave with you, you think it worth while to inquire whether the motives of the imperial government for refusing my request originate in an incorrect or an imperfect view of the facts, and that with proper explanations his excellency the minister of agriculture, commerce, and public works might be disposed to reconsider his decision, I take leave to invite your mediation with his excellency in our behalf.

I am, sir, with great respect, your obedient servant,

J. H. ZUMPSTEIN.

Hon. JOHN BIGELOW, *Chargé d'Affaires.*

Mr. Bigelow to Mr. Seward.

No. 61.] LEGATION OF THE UNITED STATES,
Paris, March 17, 1865.

SIR: Reports having reached me from various quarters that the rebels were counting upon having the ram Cheops the consort of the Stonewall at sea, and under their control within the current week, I asked Mr. Drouyn de Lhuys to-day what value I may attach to these reports. His excellency thanked me for giving him an opportunity of stating the exact situation of that matter for the information of my government. Arman had applied for an authorization to send the Cheops to Prussia, and had produced a bill of sale of the vessel to the Prussian government. "I was unwilling to be caught again as in the case of the Stonewall," said Mr. Drouyn de Lhuys, "and I told Mr. Arman that that was not sufficient; I must have proof of the highest official character from the Prussian government, not only that the vessel has been purchased by them, but had been taken into their possession."

I thanked his excellency for his forethought, and begged him to see that the sale was completed by an absolute and unconditional delivery. He said he should; that the delivery must be made to some officer of the Prussian government fully authorized to take possession of her in its name, or she should not leave Bordeaux.

He then made a memorandum of the matter, and said he should meet the minister of marine in the council of state to-morrow, and would impress the subject upon him anew.

I availed myself of the occasion to refer to the use made of the Rappahannock, and to a new report that she was about to be sold. His excellency informed me that the minister of marine had recently told him that there had

been no arrivals on board of the Rappahannock to speak of. I replied that our consular agent at Calais had advised me that twelve were brought on board last week. His excellency took a note of this also, and promised to speak again to the minister of marine upon the subject. But he assured me that I need give myself no trouble about her going into the service of our enemies.

His excellency then spoke of my despatch in reference to the steamer Ark, seized by the rebels in Mexican waters; said the outrage ought not to have been tolerated, and promised to communicate the case to the department of war and marine, that orders may immediately issue for more vigor and vigilance in the enforcement of neutrality,

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to Mr. Seward.

No. 62.] LEGATION OF THE UNITED STATES,
Paris, March 17, 1865.

SIR: I have but a few minutes left before the closing of the mail to give you the result of a conversation which I held this afternoon with Mr. Drouyn de Lhuys upon topics which have formed a feature in several of your recent despatches.

After disposing of some business which is referred to in another communication to forward by this mail, I said to his excellency, in substance, that it was now generally conceded by witnesses more impartial than any American could be expected to be, that the war which has been raging in my country was drawing to its close, and that peace and order were destined to be restored, sooner or later, to the whole and undivided United States; that between the present moment and the realization of that auspicious state of things, the friendly powers who had conceded to the domestic enemies of the United States belligerent rights would be obliged to withdraw them, it not being consistent with relations of amity between two nations that either should encourage rebellion in the territory of the other, by perpetuating a concession of belligerent rights, after the motives for making it had practically ceased. I went on to say that it was the part of good statesmanship, as of good surgery, to heal a wound so as to leave no scar; that from one cause and another the traditional friendship of my country people for France had become somewhat chilled, and though it was not for me to say when the government of France ought to withdraw the declaration conceding belligerent rights to the American insurgents, I did feel prepared to say that if the imperial government could furnish any evidence of its friendship to the United States as intelligible to my country people as that which had begun to weaken their doubts of it, it would be highly politic to do so as soon as possible.

I then referred his excellency to a suggestion which I had the honor to make at a previous interview, from which I thought he might extract the opportunity required. If the Emperor would refuse belligerent rights or asylum to vessels built and equipped in violation of the municipal laws of the country from which they take their departure, I felt persuaded it would be regarded, not only as the establishment of a sound and prudent principle of international law, but go very far towards removing impressions in regard to the feelings of France towards my country, of which the press was only a too faithful exponent. I suggested that this proposal did not involve any modification of the Emperor's declaration of September, 1861, and added such other considerations as I thought deserved to commend it to his excellency's attention.

His excellency replied, that so long as the war lasted, that is, so long as our government encountered serious resistance by land or water, France could not be expected to treat our adversaries merely as disorderly persons, but the moment the contest degenerated into what he called "small war," (*petite guerré*) it would be no longer war proper, and there would be no farther question of belligerent rights of neutrality.

He then went on to say that he had observed in the United States and in responsible quarters evidence of an *echanfeiment* against France, which he thought was without provocation, and which, if indulged or encouraged, might lead to unhappy (*facheuses*) results; that France had taken no side in our controversy, whatever absurd stories had been propagated to the contrary; and his excellency here referred with some warmth to newspaper allegations about the late duke of Sonora. "Throughout the war," he said, "we have endeavored to treat the United States as a whole, and to avoid any act which looked towards a recognition of any part rather than the whole of the country. We have tried to be prepared for whatever fate was in store for the country, as the result of this war, disposed to accept what Heaven should send as, on the whole, best for the country, but without any disposition to anticipate nor control that result in any way whatever. That has been and will continue to be the position of France towards the United States." "If," said he, "you come to-morrow and inform me that peace has been concluded, I shall be happy to felicitate you. It would seem from your papers that your arms are prospered, but until you have crushed your adversaries we cannot deny to them the rights of belligerents."

His excellency then went on to say, in reference to my suggestion about denying belligerent privileges and asylum to vessels equipped in violation of municipal law, that that was a subject upon which he could not give an answer at once. It involved intricate questions of law and required reflection and study. It occurred to him, he said, that there might be some difficulty in ascertaining whether a vessel-of-war had violated the municipal law of a foreign country. I replied that I did not propose that the government should be at the trouble of procuring the proof, but that it should designate the kind of papers an armed vessel should be required to furnish in proof of her lawful and innocent character. I said that I urged the matter less for a protection against any damages the rebels may be able to do us than as evidence of the friendly disposition of his government. I added that the occasion for invoking such a rule would probably cease very soon, while the good effects of the demonstration at the present moment would endure for ages.

His excellency seemed disposed to take the subject into serious consideration, repeated that it required study and reflection, and promised to bestow both upon it.

In the progress of his excellency's remarks I found occasion to state that circumstances have certainly occurred to excuse a portion of the irritation betrayed by my country people towards France, and I referred particularly to the two years of anxious suspense in which we were kept in regard to the ultimate destination of the vessels contracted for by Arman for the confederates. "If," said I, "after the distinct pledge of your excellency to Mr. Dayton, one of these vessels is permitted to leave France, and passes straight into the hands of our enemies, as the Stonewall did, your excellency knows how difficult it is to satisfy the people of the United States that France has not been, to say the least, more indifferent than a friendly power should be about the damages which may result from her depredations." "For this reason," I said, "I had labored according to my means, both before and since I had been brought into official relations with his excellency, to have France remove every appearance of responsibility for the machinations of the rebels in France, and hence my earnest desire that the imperial government might take some step similar to

what I had already suggested to prove to the universal intelligence of my country people its friendly disposition towards them."

When our conversation, of which, I think, I have given the spirit, had reached this point, I mentioned that I had just received a despatch from you, which treated upon some of the points referred to in our conversation, and, though not instructed to do so, I was at liberty to read it, and felt disposed to do so if his excellency was interested to hear it. He said, of course, that he would be very glad to hear anything from you, and I proceeded to read your despatch of the 27th February.

I may here mention, parenthetically, that in the progress of our conversation, and in reply to his reproaches against the irritating tone and imputations of our press and public men, I said that with us everybody's most idle thought and casual impression might find expression in one way or another through the press; but I ventured to affirm that his excellency had no complaints to make of the government proper. "No," he replied, "our relations with your government have been very well. Mr. Seward has always been very amiable and considerate." But he went on to deprecate the possible consequences of a public sentiment so prompt as that shadowed forth by the press of the United States to seize upon and misconstrue the motives of the Emperor's government.

When I had finished reading your despatch he thanked me again for reading it, repeated substantially what he had said before, and nearly in the same language, about the attitude France had taken, and deemed it her duty to maintain towards the United States, insisting very emphatically that his government has never had relations with any fraction of our country, and that he sincerely desired such a termination of our trouble as might best conduce to our general prosperity.

In respect to the instructions to be given to M. Chateaurenard, he seemed disposed to treat that suggestion as gratuitous. He thought it did not become France to turn harshly upon the confederates now in their hour of disaster, and that, he said, France would not do; but when the war ended he hoped and expected to find the attitude of his government towards the United States the same as before the war.

This, though a very condensed and imperfect report of our conversation, which lasted nearly an hour, gives, I believe, the spirit of it faithfully. Much as it is condensed, I fear you will find it too long; but as it was conducted in a very friendly spirit, and covered a variety of topics which have not been before discussed between us, I have felt it my duty to reproduce it as fully as I could.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 74.] DEPARTMENT OF STATE,
Washington, March 21, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of the 3d of March, No. 41. It was accompanied by a copy of a note which on the 2d instant you addressed to Mr. Drouyn de Lhuys, containing evidence that the Rappahannock is used by pirates harbored in England as a receiving ship for crews for the Olinde and other ships of that class in foreign waters. The representation contained in the note is fully approved, and this government confi-

dently expects that the imperial government will not long delay to put an end, within its jurisdiction, to practices hostile to the United States, and inconsistent with the peace of nations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c., Paris.*

Mr. Seward to Mr. Bigelow.

No. 75.] DEPARTMENT OF STATE,
Washington, March 21, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 3d instant, No. 42, relative to the conversation which took place between yourself and Mr. Drouyn de Lhuys, on the subject of the communication addressed by the insurgent Benjamin to the maritime powers in Europe, in regard to the rights of neutrals which were adapted to the situation of the insurgent government, and also acquainting me with the selection of Marquis de Montholon, by the imperial government, to fill the post of minister to this country. Your proceedings related therein are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 76.] DEPARTMENT OF STATE,
Washington, March 22, 1865.

SIR: I have received your despatch of the 28th of February, No. 39, which is accompanied by a copy of Mr. Drouyn de Lhuys's reply to your communication to him upon the case of William Horace Castaned, of Mobile, an inmate of the work-house of Gaffenstaden.

As you have already been informed, I have taken such measures as are possible to bring the condition of young Castaned to the knowledge of his friends and family at Mobile, if he has any there. A flag of truce was resorted to, because the town was yet in the possession of the insurgents. Neither the Constitution nor the laws of the United States authorize this government to bring home or to incur expenses for bringing home any of our citizens not seamen from a foreign country, merely because of their having fallen victims to poverty or sickness, or other adversity there. I do not know upon what ground Mr. Drouyn de Lhuys assumes that all foreign governments have set us the example of at once furnishing citizens or subjects who may come to want while in foreign countries with the means to return to their native country. If any nation has given us such a precedent it was at least voluntarily done. Practically no such example has come to our knowledge, and yet our land is always filled with emigrants and exiles from all parts of the world. Our several States minister unhesitatingly to the wants of those classes just as liberally and as promptly as they do to the wants of native citizens. In our almshouses the question of birth or parentage is never raised. We send no mendicants back to their native shores because they are poor, and we never ask their government to relieve us of the charge we incur by supporting them. I will not inquire, on this occasion,

whether under these circumstances our charity is less catholic, or our charitable charges are less expensive, than those of states which practice upon the different principle which is commended to us by Mr. Drouyn de Lhuys.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 79.] DEPARTMENT OF STATE,
Washington, March 23, 1865.

SIR: Your confidential despatch of the 28th of February, No. 40, did not reach the department until yesterday. Your proceedings in regard to the Stonewall and to Captain Page (so-called) are approved, and the information concerning our naval vessels, and other matters bearing on these subjects, is highly appreciated. I shall call the attention of the Secretary of the Navy to the communication.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 80.] DEPARTMENT OF STATE,
Washington, March 23, 1865.

SIR: Your despatch of the 6th instant, No. 43, giving me a copy of your note of the same date to Mr. Drouyn de Lhuys, in regard to the crew of the Florida, has been received and is approved. The vigilance you have exercised in the matter is specially commended.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 81.] DEPARTMENT OF STATE,
Washington, March 23, 1865.

SIR: I have received your despatch of the 16th ultimo, No. 32, which is accompanied by a copy of your note of the 3d of the same month to M. Miguet, the perpetual secretary of the Academy of Moral and Political Sciences, and a translation of his reply of the 11th in relation to the death of the Hon. Edward Everett. Your thoughtfulness in making the communication, and the manner in which it was done, are highly appreciated, as are the sensibility and respect evinced by the academy upon learning that death had stricken from its rolls our distinguished countryman.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 84.] DEPARTMENT OF STATE,
Washington, March 27, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 10th instant, No. 49, relative to the action of the commander of the French war steamer Diamant in removing a quantity of blasting powder from the United States schooner Wm. L. Richardson, at La Paz. Your proceedings therein mentioned are approved by this department.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 96.] DEPARTMENT OF STATE,
Washington, March 30, 1865.

SIR: I enclose a copy of a despatch of the 23d ultimo, No. 57, addressed to me by M. D. L. Lane, esq., the consul of the United States at Vera Cruz, giving a statement of the circumstances connected with a collision between the United States merchant schooner Three Sisters and the French transport ship Alhir, near Cape San Antonio.

You will be pleased to invite the attention of the imperial government to the case thus presented, with a view to such indemnification for the losses entailed upon the citizens of the United States concerned in the vessel and cargo, and such redress for the treatment of the officers and crew of the schooner as upon investigation may be found to be justly due.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Lane to Mr. Seward.

No. 57.] CONSULATE OF THE UNITED STATES OF AMERICA,
Vera Cruz, February 23, 1865.

SIR: I have to inform the department that the American schooner Three Sisters, of Key West, Florida, William Lowe master, was towed into this port on the 4th instant under the following circumstances:

On the 29th of last month, about half past 7 o'clock p. m., while near Cape San Antonio, the said schooner was run into by the French transport ship Alhir and very badly damaged. Five of the crew, believing the schooner sinking, went on board the Alhir. As soon as it was found the schooner did not sink, they started to return to her, but were arrested by the commander of the transport, Mons. Cuisnier Delisle, and one of them put in double irons. The commander then sent to the schooner and took from her the only remaining seamen, leaving on board the master and a passenger to steer and pump her, as she was making water fast. The day before their arrival in this port the passenger was taken from the schooner; but on the 4th instant, just before entering the harbor, they were all returned to the schooner. After several hours' detention in the harbor by the commander of the transport, because the master would not sign a paper releasing the French commander from all liability resulting from the collision, he was permitted to land. He deposited the register and crew-list in the consulate. The master and the crew reside at Key West. After hearing their statement, I addressed a note to Mons. Jules Doazan, French consulate at this port, repeating the story of the master as substantiated by his crew, and asked his early attention to the case, as, under the circumstances, I should be obliged to hold the French government responsible for the conduct of the commander of a transport, and for whatever loss might be sustained by

the collision and by the imprisonment of the crew. I received no reply to this note. On the 9th I called a survey on the schooner by three masters of vessels, who condemned the schooner as entirely unseaworthy, and estimated the cost of repairs at $8,000. The master entered his protest, a copy of which I sent to the French consul, with a note repeating the former notice. No offer of aid or remuneration has been made to the master or crew since their arrival, and no notice whatever taken of the case. The master and crew agree in saying they hailed the transport three times before the collision; that their lights were set, and must have been plainly seen by the transport; that when a change was made by the schooner in her course, in order to avoid the collision, a corresponding change was made by the transport. They all say they believe it was purposely done; and from the course pursued by the authorities since the arrival here, I believe so, too.

The crew came on the consulate for support, but as Captain Lowe had provision on the schooner, I made an agreement for them to stay on board till the 15th instant without any expense to the consulate, when I placed them on board the British bark James Welsh, bound for New York, Master W. Megill, who agrees to land the crew at or near Key West, paying him $20 for each man in gold. I agreed, if he did not stop at Key West to obtain the usual indorsement of the collector, that the certificate of the crew that he had performed his part of the contract satisfactorily should be sufficient. It is not in accordance with the regulations, but I could do no better. There was no American vessel in port, and no other bound in the direction of Key West. I thought it the most economical way to dispose of the crew, who suggested this way of getting home, and I solicit the speedy payment of the sum on presentation of the usual certificate. It is very difficult to get masters of vessels to take seamen home on account of the difficulty they have in getting the pay from the department. I hope this will prove an exception to the usual rule.

The names of the seamen on board the schooner are Joseph Acosbee, William Lowe, jr., Frank. Whittaker, Robert Matthews, Anthonie Sape, George Randall, all of Key West. The master, Captain Lowe, is still here. He was sole owner of the schooner. As there was no insurance on her the loss falls heavily on him. I did the best I knew in the case. If there is anything more to do in the premises, I await instructions from the department.

I have the honor to be, with great respect, your obedient servant,

M. D. L. LANE, *U. S. C.*

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Bigelow.

No. 97.] DEPARTMENT OF STATE,
Washington, March 30, 1865.

SIR: Referring to your despatch of the 28th ultimo, No. 40, and to my reply of the 23d instant, No. 79, in regard to insurgent piratical movements and schemes in Europe, I have now to inform you that, by a letter of yesterday, the Secretary of the Navy informs me that the Kearsarge, now at Boston, has been ordered to proceed to the coast of Europe for the purpose of co-operating with the vessels now engaged in watching the movements of the Stonewall, and will use all possible despatch in reaching her destination.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c., Paris.*

Mr. Seward to Mr. Bigelow.

No. 98.] DEPARTMENT OF STATE,
Washington, April 4, 1865.

SIR: Your despatch of the 17th March, No. 61, has been received. I have to commend and thank you for your attention to the warnings which you received from our consul in England in regard to the ram Cheops.

It is to be expected that the treasury of the rebels at home and their credit abroad will completely collapse under the blows they are receiving from our

land and naval forces. After that collapse, we may reasonably expect that European ship-builders and merchants will be as much disinclined to render further aid to our enemies as we are opposed to such unprincipled intervention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 99.] DEPARTMENT OF STATE,
Washington, April 4, 1865.

SIR: I have received your despatch No. 60, of the 17th instant, relative to the refusal of the French government to permit Mr. Hammond, agent of the American Emigration Company at Havre, to contract for the transport of emigrants through Havre to the United States. You may ask for explanations from Mr. Drouyn de Lhuys, but you will not make it a subject of protest or remonstrance without instructions.

I am, sir, your obedient servant,

WILLIAM H. SEWARD

JOHN BIGELOW, Esq., &c., &c., &c.,

Mr. Bigelow to Mr. Seward.

No. 67.] LEGATION OF THE UNITED STATES,
Paris, April 4, 1865.

SIR: I have the honor to enclose copies of certain documents received from the Hon. Bradford R. Wood, minister resident of the United States at Copenhagen, in part reply to my application for such information as might be within his reach in relation to the delivery of the steamer Stonewall, alias Olinde, to officers of the insurgent navy.

I presume that you must have already received from Mr. Wood, in his account of his personal intercourse with the Danish government, something more satisfactory, if it had anything more satisfactory to offer.

The position of the question at this court has undergone no change since my last communication about it. I understand from our consul at Nantes that an investigation is going on at that place with the view of punishing three of the parties concerned in supplying the Stoerkodder with coal, provisions, and munitions within the waters of France. It remains to be seen with what vigor the majesty of the law will be asserted. I should attach more importance to such a demonstration if it were directed against the notorious head offender, Arman, instead of being directed against some of his instruments.

The Stonewall left Ferrol for Lisbon, whence, after a few days' detention, she sailed for parts unknown. No doubt you have received full particulars of her stay at and departure from both these places from our representatives at Madrid and Lisbon.

It is possible they may not have been able to send you a list of the officers of the Stonewall; I therefore send you one, which I believe to be authentic and complete up to the 20th of March last.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, &c., &c., &c.

[Enclosure.]

List of officers of confederate pirate Stonewall, March 20, 1865.

Captain T. J. Page, from Virginia; R. R. Carter, first lieutenant, from Virginia; Geo. S. Shryock, second lieutenant, from Kentucky; Geo. T. Bochart, third lieutenant, from Savannah, Ga.; E. G. Reed, third lieutenant, from Virginia; Samuel Barron, jr., third lieutenant, from Virginia; E. Green, surgeon, from Virginia; C. W. Curtis, paymaster, from South Carolina; W. P. Brooks, chief engineer, from South Carolina; J. W. Herty, assistant surgeon, from Georgia; W. W. Wilkenson, master, from South Carolina; W. Hutcheson Jackson, first assistant engineer, from Baltimore: J. C. Cosh, second assistant engineer, from Texas; John W. Dukeheart, boatswain, from Baltimore; J. W. King, gunner, from North Carolina; J. Mather, carpenter, from Maryland; William Savage, master's mate, from Maryland; William Baynton, paymaster's clerk, from Florida John W. Prior, sergeant of marines, from Virginia.

Mr. Wood to Mr. Bigelow.

LEGATION OF THE UNITED STATES,
Copenhagen, March 25, 1865.

DEAR SIR: I herewith send you copies of certain papers received from the Danish government, those in French certified. I have the Danish also certified, but supposing that they would be useless in Danish, I set Consul Hansen, a Dane by birth, to translate, and I give you his literal translation. I suppose the original are also in the Danish legation in Paris.

Mr. Hoxtheussen is a good English and French scholar, and can render Hansen's *literal* translation liberal. It is very possible that if the Danes could have got the Stoerkodder in time they would have owned her, but they had no use for her after June, 1864, and availed themselves of her defects to get rid of her. As they did not suspect anything, and wished to be obliging to Arman, who had here the reputation of being a very responsible man, and one of the Emperor's right hand men, they allowed themselves to be imposed on by Arman's correspondent, "Puggaard," a Danish merchant residing here, and who unquestionably knew that this ship was sold to the confederates when he applied for the use of the Danish flag, as he had advanced money on her when she was being built for the confederates. And what is more, I have no doubt the Danish government now know of Puggaard's complicity in the matter. Arman's intention in sending this ship here was to get her out of France and into the hands of the confederates, and he deceived the French minister. I have the police on the watch for the men you advised me of.

I remain, very truly, your obedient servant,

BRADFORD R. WOOD,
Minister Resident.

JOHN BIGELOW, *Charge, &c., Paris.*

I have made the request, and it is to be complied with, that the Danish government inform the governments of France and Spain that they never owned the Stoerkodder. Will Spain let this ship go to sea? If she does I hope she may lose Cuba.

W.

[Enclosure.—Translation.]

BORDEAUX, *October* 25, 1864.

After the trials of the Stoerkodder, on the 20th instant, had taken place, I informed Mr. Arman that I would report the results of these trials to the ministry, and by my request he consented to await the nearer determination of the ministry to accept or reject the vessel according to the statement from me, as stipulated in the contract. Upon the receipt of the telegram of the 23d instant from the ministry, I immediately, as commanded, made known to Mr. Arman the expected arrival here of Etatsnad Eskieden. But Mr. Arman has to-day informed me that the Stoerkodder had gone to sea yesterday, with orders to proceed to the Sound. As it is his intention, if the vessel should be rejected by the government, because the conditions as to speed and draught were not fulfilled in accordance with the contract, then to leave it to the generosity of the government whether they will receive the vessel any how,

and on what conditions other than those stipulated in the contract, all of which I do omit to herewith inform the ministry.

I take the liberty to enclose a copy of a declaration made to me by "Expert," engaged by me to attend to the trial of the Stoerkodder and to certify to the result.

I am, &c.,

G. SCHRUHEGDEN.

COMMISSARIAT AND BOOK OFFICE, *March* 14, 1865.

That this copy is in conformity with the original certifies marine minister.

TUXEN.

COPENHAGEN, *March* 14, 1865.

[SEAL.] P. VEDEL.

[Enclosure.—Translation.]

MINISTRY OF MARINE,
Copenhagen, December 21, 1864.

By letter of the 14th instant Mr. Arman has communicated that he has empowered Mr. Grossereau, merchant, as his representative, to make a final adjustment of the matter of the iron-clad vessel Stoerkodder, and in this manner—that the vessel be at once accepted without any other loss to Mr. Arman than the interest, or that the contract be annulled with the only compensation in damages that some new rank be given him from the Danish marine.

In accordance herewith, by virtue of office, it is communicated that the minister of marine, notwithstanding that Mr. Arman has failed in several principal points to fulfil the conditions he has taken on himself, by the contract of the 31st of March, this year to deliver the Stoerkodder, relieves him from the contract in this manner: that this (contract) is annulled from now on this condition, that when Mr. Arman, now or later, lets the vessel depart from here, he thereby acknowledges himself to have no demand whatsoever upon the Danish government.

Grossereau is also requested to remind Mr. Arman that the expenses, &c., occasioned by bringing the vessel here were incurred in consequence of the vessel being sent here, notwithstanding he had been already informed at Paris that he alone must take the risk thereof.

O. LUTKEN.
TUXEN.

Hon. R. PUGGAARD.

Original received.

RUDOLPH PUGGAARD.

COMMISSARIAT AND BOOK-KEEPING OFFICE, *March* 14, 1865.

That this copy is in conformity with the original certifies marine ministry.

TUXEN.

[SEAL.]

P. VEDEL.

[Enclosure.]

List of the crew who sail with me, the undersigned, who commands the iron-clad vessel the Stoerkodder, belonging in Bordeaux, but who sails under the Danish flag, of tonnage of the bill of gauge of over 200 commerce last, with which I now intend to go from here to Bordeaux.

(Notice on the list that the six French engineers were discharged on the 5th of January, 1865.)

(Here follows a list of the crew, Danes and Swedes, and some forty-five in number.)

B. R. W.

[Enclosure.—Translation.]

Certificate to the iron-clad vessel Stoerkodder.

GENERAL CUSTOM-HOUSE,
Copenhagen, December 30, 1864.

The secretary of the general custom-house makes known that the iron-clad vessel Stoerkodder, belonging to Mr. Arman, of Bordeaux, after having arrived in this city from Bor

deaux, for the purpose of being offered for sale to the royal Danish marine, has been rejected after trial; and now that the owner intends to carry her back to France, it is permitted that the above-named vessel depart from here with a Danish crew.

BLUMBE.

THE KINGDOM'S EXPEDITION OFFICE.

Correct copy.

J. WINTHER.

COPENHAGEN, *March* 14, 1865.

[SEAL.]

P. VEDEL.

[Enclosure.—Translation.]

COPENHAGEN, *December* 31, 1864.

On the petition of the commercial firm of Puggaard & Co., residing at this place, the ministry for foreign affairs, on its part, has permitted the iron clad vessel Stoerkodder, on the return from Copenhagen to Bordeaux, to carry the Danish flag.

In consideration hereof, the above-named vessel is to be treated as Danish by the royal consuls in whatever port it shall enter on *this* voyage, wherefore we would not omit to communicate this legitimation.

The ministry, in conclusion, will add that no outlay for the aforesaid vessel must be made unless the aforenamed commercial firm should desire it and guarantee the payment thereof.

BLUMBE.

The ROYAL CONSULS
in Sweden, Norway, Great Britain, Netherlands, France.

Protha copia:
[SEAL.]

P. VEDEL.

[Enclosure.—Translation.]

COPENHAGEN, *December* 31, 1864.

The ministry of foreign affairs has, by request, permitted the iron-clad vessel Stoerkodder, which the royal government once intended to buy, but which was not accepted, on its return from here to Bordeaux, to carry the Danish flag, but with the implicit instruction that this permission is only granted for *this* voyage.

Your honor is therefore requested to see to it that this vessel, on its arrival in Bordeaux, strikes the Danish flag, in regard to which the ministry of foreign affairs, in proper time, expects to receive the report of consul.

The return of a document of legitimation granted by me to the vessel must be demanded from the shipmaster and transmitted here.

BLUMBE.

The ROYAL CONSUL *at Bordeaux.*

True copy:
[SEAL.]

P. VEDEL.

Mr. Seward to Mr. Bigelow.

No. 105.] DEPARTMENT OF STATE,
Washington, April 5, 1865.

SIR: I give you for your information a copy of a note* which I have recently received from Mr. Geofroy, chargé d'affaires of the Emperor, concerning a projected universal exhibition of productions, of agriculture, manufactures, and the fine arts, to be opened at Paris on the 1st of May, 1867, under the direction and supervision of a commission in which his serene highness the Prince Napoleon will preside.

You will inform Mr. Drouyn de Lhuys that the President of the United States regards the project thus described with great favor, as well because of the ben-

* See correspondence with the French legation of 27th ultimo.

eficial influence it may be expected to exert upon the prosperity of the nations as of its tendency to preserve peace and mutual friendship among them.

The Prince Napoleon is most favorably known on this side of the Atlantic, and his connexion with the exhibition will increase its proper prestige in the eyes of the government and people of the United States.

What the executive government can do by way of concurrence in the noble purpose of his Majesty will, therefore, be very cheerfully done. The design and arrangements will be promptly promulgated. For the present, you will confer with Mr. Drouyn de Lhuys as a special agent of this government, and will bring yourself into near relations with the prince.

This is as far, however, as the President is able to proceed without special legislative authority. Application for that authority will be made to Congress when it shall have convened. In the mean time this department will receive and give due attention to any suggestions which the government of France may desire to offer with a view to a complete success of the contemplated exhibition.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr Bigelow to Mr. Seward.

No. 68.] LEGATION OF THE UNITED STATES,
Paris, April 7, 1865.

SIR: I beg to enclose a translation of an article which appeared in the Memorial Diplomatique of Saturday last, purporting to give the basis of certain peace negotiations in progress in Canada, between persons representing the United States and the confederate insurgents. The quasi official character of this hebdomadal satisfies me that the government wish the facts there stated to be believed. I was confirmed in this opinion when I saw the article promptly reappear in all the official journals.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[Translated from the Memorial Diplomatique of April 2, 1865.]

Private advices from a reliable source informs us that negotiations with a view to peace are again carried on between the north and south of the United States.

The scene of these negotiations has thus far been in Toronto, on the frontiers of Canada, where there are always large numbers of northern and southern politicians, and where the confederate agents of the two governments met.

After discussing for a long time the conditions of a possible reconciliation, the agent of the federal government left for Washington, bringing with him an outline of a treaty on the following basis:

1. Restoration of the Union.
2. Abolition of slavery.
3. A general convention of all the States to be held for the purpose of introducing into the Constitution amendments such as the formal and explicit recognition of State rights, the defence to Congress to make any laws relative to the colored population, after the abolition of slavery, and a modification of the electoral system with regard to presidential elections.

The first of these amendments would put an end to all discussions concerning State sovereignty; the second would finally settle the condition of the colored people; and the third should be so contrived as to diminish electoral agitations by making it impossible for one of the two sections of the country to elect a President without the assent of the other.

Mr. Seward to Mr. Bigelow.

No. 108.] DEPARTMENT OF STATE,
Washington, April 8, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 17th of March, No. 62, in which you give me the result of a conversation you held with Mr. Drouyn de Lhuys on the 17th ultimo, in regard to our relations with France. That paper has been read with interest, and your proceedings are approved.

The same mail that brings your despatch bears to us intelligence of the attempted escape from Ferrol of the Stonewall, in order to enter upon a career of piratical depredations upon American commerce, which was only frustrated by the vigilance of the United States cruisers in that vicinity.

This occurrence and the rapid decadence of the rebellion, since your conversation with Mr. Drouyn de Lhuys, will justify a recurrence to the subject at an early opportunity.

The insurrection has now no port or access to the sea, no fixed seat of its pretended government, no coherent civil administration, no army that is not, in consequence of repeated defeats, rapidly dissolving into fragments, and the only ships that assume to carry its flag are those foreign-built vessels, which, from the day their keels were laid on neutral soil, have never ventured to approach within hundreds of miles of the scene of the insurrection, and have only derived their ability to rob and plunder from the concession to them of belligerent privileges by powers which have repeatedly assured us of their disposition to be neutral in the strife.

I am, sir, your obedient servant,

WILLIAM H. SEWARD,
By F. W. SEWARD,
Assistant Secretary.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

[Two enclosures.]

No. 75.] LEGATION OF THE UNITED STATES,
Paris, April 17, 1665.

SIR: The "corps legislatif" have finally disposed of the amendments proposed to the address from the throne which related specially to America. The one deploring the blood shed for a foreign prince in Mexico provoked a lengthy and somewhat angry debate, though the opposition was confined exclusively, I believe, to the republican wing of the assembly, neither Berryer nor Thiers speaking or voting. Out of two hundred and forty-one votes, but sixteen voted for the amendment. No different result was to have been anticipated, as the Mexican policy of the government stands more in need than any other, at the present moment, of the unqualified support of the chambers. A report of this debate translated from the Moniteur will be found enclosed.

The speeches of Messrs. Corta and Rouher show what view the government wishes should be taken of its efforts thus far to found a European dynasty in Mexico. It will be seen that these gentlemen have made the most of the conciliatory tone taken by your representatives abroad in reference to the future of the President's policy toward foreign states in the western hemisphere.

The other amendment, tendering sympathies and thanks to the United States for their efforts in behalf of civil liberty, was not debated. M. Pelletan made a short speech, but the news of Lee's flight, and the evacuation of Petersburg

and Richmond, had reached the house only a few moments before he began, and the members were not in the humor at that moment, as you may suppose, to have the relations of France with the United States made the subject of a general discussion. The majority, at least, required time to take counsel before defining their position upon questions which the news of the day rendered more delicate than ever. M. Pelletan, who, I was told, had intended to enter at considerable length into our affairs, found in the events reported by telegraph logic more conclusive than any he had to offer, and so contented himself with a brief amplification of the amendment. After a thrilling allusion to the news, he asked the chamber to send its felicitations across the Atlantic.

A report of M. Pelletan's speech, translated from the Moniteur, is also enclosed. The amendment received twenty-four votes, eight more than were given for the Mexican amendment.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[Enclosure No. 1.]

CORPS LEGISLATIF OF FRANCE—SESSION OF THE 10TH APRIL, 1865.

PRESIDENCY OF M. SCHNEIDER, VICE-PRESIDENT.

Debate on the amendment to the address about Mexico.—(Translated from the Moniteur, April 11, 1865.)

PRESIDENT SCHNEIDER. There were two amendments on paragraph sixteen. The modifications demanded for the first amendment having been obtained, it requires no further notice from us; the second remains for consideration. It is presented by Messrs. Bethmont, Jules Favre, and others, and is thus expressed: "In Mexico we more than ever deplore the blood shed for a foreign prince, the national sovereignty unrecognized, and our future policy badly entangled, *(mal engagé.)* In conformity with the declarations of the government we await the recall of our troops."

M. JULES FAVRE has the floor for the development of this amendment. Gentleman, said he, I am almost abashed at rising to speak again. [Speak! speak!]

We demand by our amendment that our troops shall be immediately recalled; in the solution of this question the country is deeply interested. I waive as inopportune all discussion upon the origin of the war of Mexico, and I take the facts of the case as they present themselves at this moment.

The emperor Maximilian has founded in Mexico an official empire. I earnestly desire that the condition of the country may permit of a complete pacification, and that a government may there develop the true elements of stability and greatness; but I do not desire that France should contribute to this work, nor that she should lavish her arms and her wealth to sustain a foreign power that ought to stand by its own proper strength.

If we are to believe the articles of the Moniteur, the emperor of Mexico has been received with universal enthusiasm; the whole population hailed him as a saviour. Among the disaffected there were none but brigands and anarchists, who, thank God! were there, as elsewhere, in a very small minority.

Thus everything is going on well, if we judge from the official documents. True, we have not the power to consult other statements; and, inasmuch as nothing relating to this question has been laid before the Chamber, I consider that it has been treated with disrespect. Why this silence? All political documents are our common property.

It is impossible not to remark, that by the side of these official declarations we have others which contradict them, and which affirm that the country has never ceased to be in a state of war.

The first fact that strikes us is, that the emperor Maximilian, ever since he touched the soil of Mexico, has found it impossible to conform to the programme he traced out for himself. You have not forgotten the declaration of Maximilian at Miramar, when he replied to the deputation which came to offer him the crown, that he accepted it, but only upon the condition that he held it by the will of the whole nation. This declaration was also made by the French government. In reference to this the minister of foreign affairs, who was the interpreter of the imperial letter of July 3, 1862, wrote on the 17th of August, 1863: "The government will submit to the Mexican people the question of the political régime, which is to be definitely established."

Upon such promises Maximilian departed; and such are the conditions enjoined upon him by France. These conditions are succinctly insisted on by the despatch of 17th of August, 1863. The orator read an extract from this despatch which set forth the manner in which the Mexican people should be called to give their verdict, so that there might be no shadow of a doubt as to the expression of the will of the nation.

Nowhere, continued the orator, could we find more reasonable words, but they seem to be dictated by honorable and very singular illusions, since the minister who wrote them supposed that no sooner should the emperor Maximilian arrive at Mexico than he would be greeted by a submissive and sympathetic nation, and that there was nothing to do but to apply to the rural magistrates *(gardes champêtres)* to insure the elections. [Noise.]

Unhappily this was not the case, and it will be interesting to place, not the entire truth, since we are not able to get at that, but a few figures alongside of the letter which states the indispensable conditions for the establishment of the new government.

The honorable member read a document from which it appeared that, during the year 1864, there were 8,070 men put *hors de combat*, 1,601 of whom were killed; 179 cannon had been taken by the French, as also 2,630 muskets and 1,400 horses. Such, gentlemen, was, in 1864, the state of a country that they called, and still continue to call, pacified. I will not present to the Chamber the sorrowful episodes, the deeds of arms in which French blood so freely flowed, the treachery of certain Mexicans who, after having betrayed their country, betrayed the Frenchmen of their party, basely abandoning them, and delivering them into the hands of their countrymen.

These facts prove that Mexico is still in a state of war; and this is yet further proved by the siege of Oajaca, where Marshal Bazaine has been obliged to go, which has been attended by much sacrifice, and has ended in the taking of some thousands of men. I ask the government if it desires such a position of affairs to continue, if it intends to prolong such expeditions; for not only have we gone to Monterey, but I believe I speak the truth when I say that preparations are now making for an expedition into Sonora.

Now, whoever is acquainted with the province knows that there are difficulties there which, if not insurmountable for our courageous soldiers, are, at least, very terrible for them. What business have we to put ourselves in such a situation? Is that what we have been promised? Should not the emperor Maximilian, once placed upon the throne, be able to defend himself? Moreover, what does all this mean?

We proclaim the principle of nationalities in Germany and in Italy, and just now an honorable member of the majority reproached me for not having laid sufficient stress on this. And we went to Mexico to establish a government by the sword; when it was established, instead of recalling our army we place ourselves in the alternative of a disaster, or of an interminable war against the peoples who may continually present themselves upon the field of battle. In fact, not only do the documents attest that Mexico is not pacified, that the declarations of the government are contrary to truth, but the partisans of Maximilian acknowledge that the present army is indispensable to the maintenance of his power, and that it is even necessary to augment its proportions.

The orator read a fragment of an article taken from an official journal of Mexico, which speaks of the ill usage that the friends of the new régime are likely to experience, and which ill usage will have a tendency to abate the devotion of the partisans of the empire, and to hinder the populations to co-operate actively in the work of pacification. The writer of the article thinks it will be necessary to maintain a French army of 45,000 men in Mexico. This, gentlemen, is what has been printed under the eyes of the emperor Maximilian, and this is the family council which is indispensable for him to maintain himself upon the throne and to enable him to exercise his guardianship over Mexico. [Different movements. Approbation from some benches.]

This must be energetically confuted here. In the commissions of supplementary credits last year it was said that at the end of the year there should not be a French soldier in Mexico. This promise has shared the fate of many others; I will not say ministerial, but human promises. It must, however, be fulfilled, for it would be deceiving the Chamber and the country to protest that we were concentrating around Mexico, while we were undertaking to conquer by armed force a country ten times larger than France, and where the guerillas, who are the strength of the nation, and in whom its patriotism has taken refuge—[loud disapprobation.]

His Excellency M. ROUHER, minister of state. Do not speak of brigands in such terms.

M GARNIER PAGES. They said also "brigands of the Loire in 1815."

Mr. PICCIONE. I ask to speak against the amendment.

Mr. JULES FAVRE. We have the right to say that, since the government pretends that Mexico is pacified, and that Maximilian is hailed by the popular sympathy, it shall no longer maintain around his throne a force which might be so necessary to France.

I conclude by calling the attention of all the thinking men who hear me to a danger apparent to all, and which is too serious to be slighted.

In 1862, when the expedition was in process of formation, I took the liberty of warning the Chamber of the dangers and contingencies which might arise from a contest with the United States.

It is difficult to imagine how deeply the American heart has been wounded by our expedition to Mexico. And may we not fear that at the termination of a terrible, a gigantic war,

which has called all men of action to the battle-field, their armies, disbanded by peace, should rush into Mexico? Let our troops return then; let them return then immediately. It is the desire of all France, and we ask of you to fulfil it. [Approbation from several benches.]

President SCHNEIDER. M. Corta has the floor. [Movement of attention.]

Mr. CORTA. The Chamber will, I hope, permit me to say a few words about Mexico. Having been honored with a mission to that country, I come to bear witness of what I have seen. I must premise that the impressions which I bring thence do not agree with what the last speaker has just said.

The Hon. M. Jules Favre declared that he would not go back to the origin of the expedition, but would confine himself to existing facts. On this point I will follow his example.

He has examined the situation of Mexico in regard to its present sovereign; in regard to its pacification; in regard to our army: in a word, in regard to the contingencies of war with the United States. Before following him into these different questions, I ask the permission of the Chamber to lay before it a few preliminary observations. It seems to me that the first question to examine is, what faith can be placed in the future of Mexico? A Frenchman who had lived a long time in that country once said to me, "I have seen so many successive revolutions in Mexico; I have so often seen the country ready to fall, and yet recover itself, that even before the intervention I said to myself, Mexico cannot perish. And indeed this country, even in the midst of its disturbances, had always a principle of vitality which gave sure promise for its future destiny'.'

What are the causes of this vitality? In the first place, its extent is, not as M. Jules Favre said, ten times, but three times and a half as large as France; situated in the centre of America, touching the north on one side, and the south on the other, and washed by two oceans, this country unites all the advantages of geographical position to a soil of universal fertility.

The subsoil is so rich that, at the time when the treasures of Mexico were being spread through the entire world, Humboldt said these riches had scarcely begun to be developed, and this opinion has been confirmed by the testimony of the celebrated, engineer M. Lam, who was sent from France to Mexico.

Mexico is, therefore, a highly favored country, in an agricultural and commercial point of view. Having thus shown its natural advantages, let us now see what man has done for it.

When Fernanda Cortez conquered Mexico, he overthrew not only the throne of Montezuma, but a civilization, the importance of which is attested by history, by tradition, and by monuments still extant in the country. What has been substituted for this civilization? The Spaniards gave Mexico Catholicism, without themselves following its precepts. The natives were excluded from all public offices; certain branches of industry and knowledge were closed to them, in the interest of commerce and the church. Spain, in short, did not restrict herself to drawing from Mexico the silver that she scattered over the whole earth; she levied from its products in order to aliment her colonial budgets, and to raise immense sums of money, which she poured into her treasury at Madrid. During all this time nothing was undertaken in Mexico for its own interest, but solely for that of Spain; then came its independence proclaimed in 1810, and realized in 1820.

What was this independence and for whose profit was it declared? The Spaniards left behind them in Mexico the old natives, the Indians, whom they had long enslaved, but who were submissive and resigned; a race somewhat weak, but industrious and intelligent, impenetrated with the sentiment of religion and the love of home.

The Indians formed four-fifths of the population. The Spaniards thus left behind them a new people, born of their admixture with the natives, the Mexicans properly so called.

For whose profit was the independence proclaimed? For the profit of the great majority of the population? No, but for a Mexican oligarchy, divided into two pretty nearly equal parties, the liberals and the conservatives, who were constantly fighting with each other, sword in hand, for the supremacy, oppressing the Indians and pillaging the people they were appointed to govern; thus with the Spaniards came tyranny, with independence, anarchy; nature had done everything for the prosperity of the country, but man seemed bent on its ruin. It has not perished, it has not even feebly prospered. The reason is, that outside the Mexican oligarchy the Indians, a patient and tenacious race, have never ceased to labor, and that foreigners have continued their traffic, which consists in the exchange of the mineral productions of Mexico against the fabricated productions of Europe.

Is a nation which has resisted oppression and anarchy, and which possesses a most fertile soil, capable of prosperity? The reply cannot be dubious. To rise again it needs but two things—a regular government and time. [Very good, very good.] It unquestionably has a regular government. From Vera Cruz to Mexico the progress of the emperor Maximilian has been a triumph. To the Indian he is the man coming from the east, with blue eyes and golden hair, who is to regenerate the country.

The Indians have, therefore, with a sort of innocence, but with genuine enthusiasm, hailed the emperor Maximilian as a deliverer.

The clerical conservatives, who form a half of the Mexican element, have rallied around him, as have also those moderate men among the liberals, who have become tired of civil war and are persuaded that the republican form of government is not suited to the interest of the country. This majority of the Mexican element has hailed the empire as the only hope of the nation, its only anchor of salvation. A solitary group of men has held itself aloof; for these

men civil war is a necessity, a habit, an existence, and like Porfirio Dias, at Oajaca, they will not throw down their arms until they are forced to surrender at discretion.

Such are the sentiments which greeted the emperor Maximilian. It may be said that upon his arrival in Mexico he was crowned by the universal suffrage of the people, who called him to reign over them. (Very good, very good.)

The orator gave a full exposé of the earliest acts of the government of the emperor Maximilian for the reorganization of the finances, the military affairs, public instruction, and the administration of justice in the empire; also for the regulating the delicate question of the goods of the clergy. He entered into circumstantial details upon the financial situation of the country; upon the resources which could be looked for from taxation and the mines—resources considerable in themselves, but which would not exempt the government from the necessity of raising loans—upon the foreign debt of Mexico, the operations of which are regularly carried on; upon its internal debt, consisting of bonds, issued by the different governments which have succeeded one another.

The lateness of the hour obliged the honorable member to defer the remainder of his speech until to-morrow. The séance was closed at twenty minutes past six.

M. Corta. In yesterday's session, gentlemen, I exhibited Mexico, with all its vitality—its financial resources, its popular government, and the prosperity which a regular administration and time guarantee to it; for time is of necessity the auxiliary of all great things. To this picture I would make but one addition. I wish to speak of the popular current which begins to set towards Mexico. Foreign capital, and emigrants who possess a keen scent for political affairs, are now to be found in Mexico. A national bank has been established, and its immunities have been granted to influential and distinguished houses in France and England; grants have also been made for the construction of numerous railroads. The most important of these grants, viz., for the line to run between Vera Cruz and Mexico, has been given to a very large English company having a capital of 135,000,000, and who are able to send on 15,000 laborers to carry on the work. Besides all this, there are grants for the line of steam packets in the Gulf of Mexico, and along the shores of the Pacific, as well as for the working of different kinds of mines. The Chamber will see clearly that foreign capital and foreign settlers, who have had grants of land made to them, will not be kept away from Mexico on account of the threatening contingencies to which the honorable M. Jules Favre alluded in his speech yesterday. I take up the question which he raised– the question of the pacification of Mexico—from the point of view of the return of our army.

The duration of this pacification is explained by the extent of the Mexican territory, and by the half century of war and anarchy which has reigned upon this territory. The end of the pacification has been found subordinate to facts which I ask leave to point out. The principal fact is the occupation of the seaports. A number of these ports, either on the Gulf of Mexico or on the Pacific, were occupied until lately by Juarez or his partisans; they collected the revenues of several custom-houses, and with these resources they maintained their corps d'armie. An insurrectionary body, compelled to take its subsistence from the country in which it lives, renders itself odious by the requisitions it is forced to make, and recruiting itself at the expense of the country, it quickly exhausts itself in exhausting the country. Therefore external revenues were necessary for the support of the insurgents, and I regret to say that, until lately, such resources have been left at their disposal. But at present, thanks to the co-operation of the land and sea forces, all the ports of the Atlantic and Pacific are occupied either by our troops or by those of the emperor Maximilian. The insurgents are deprived of the seaboard—that is, of the means of obtaining supplies, and hence one of the causes, in fact the principal cause, of the duration of the insurrection no longer exists.

The political situation of Mexico furnishes another fact to which the pacification was also subordinate. The Chamber knows that Mexico, after having vainly entreated Europe for kings, formed itself into a republic—now federative, then military, and then again federative. Under the rule of the federative republic several provinces declared themselves independent: they established mints and arsenals in some of the principal localities. These arsenals, containing considerable supplies and munitions of war, were so many torches ready to kindle insurrection. It is also to be observed that in Mexico the pronunciamientos, which have been followed by revolutions, have always come from the provinces to invade the capital! Well, when Oajaca was captured, with all the inhabitants and property it contained, I think the last military arsenal of the insurrection was destroyed. Juarez took refuge in Sonora, abandoning his baggage and part of his treasure. I am ignorant whether or not he has been able to procure fresh military supplies, or raise new recruits. It is possible that an expedition against him may move toward Sonora; if so, I do not think it will meet with serious resistance, and I am convinced it will be the last expedition undertaken.

Another fact in the light of the pacification of brigandage arises from the state of perpetual war, and the predominance of armed force in Mexico. The country people, and even the inhabitants of towns, unarmed, without protection from government, and living far apart, have contracted the fatal habit of allowing themselves to be robbed, without making resistance; from this have resulted encouragement to brigandage and impunity to crime. In order to remedy these evils, the Mexican government formed a country police, *(gardes rurales,)* commanded by captains named by the emperor, and composed of the best elements of the old

Mexican army. The best results may be hoped from the institution of this police force. Thus, from the point of view of military pacification, of the suppression of a possible though slight resistance at the extreme north of Mexico, and in the light of the pacification of brigandage, there is a prospect of peace and quiet at a more or less distant period.

But, gentlemen, even when a great incendiary is extinguished, it must be watched, lest it break forth again. In presence of the elements of disorder which the civil war has left in Mexico, and taking into consideration the revolutionary principles rife in the Mexican army, a disciplined army, faithful and devoted to its duty and its flag, is still needful in Mexico, not only to sustain the institutions of the nation, but to insure its safety; and this army should be an European one. [Movement.] Should this European army be a French army? Ought the French army be still maintained in Mexico? The authors of the amendment demand the immediate return of the army. This is not admissible. In fact, to recall our army would be to compromise the work just begun; and, in case of the overthrow of that work, to expose our policy to the ridicule of Europe. To recall our army—that is to say, to abandon those who have accepted the intervention, and have rallied around the throne, to expose them to the consequences which might follow such a proceeding, would be to commit an act unworthy of France. In the place of our flag too hastily furled, France would leave her honor sullied. France may be asked to sacrifice her wealth, but her honor never. [Very good, very good.]

But, gentlemen, as the foreign legion and the auxiliary corps of Belgians and Austrians—Austrians who have already given proofs of their bravery and firmness—become developed, and the empire consolidated, the French army can be gradually reduced and finally withdrawn. Our flag should never cease to wave in Mexico until all the advantages that France upholds there are guaranteed and sure. Shall our flag be furled before the chances of a war that may result from peace in the United States? This is the last question examined yesterday by our honorable colleague, Mr. Jules Favre, and upon which I asked permission to express the opinion that I had gathered in Mexico. In that country these chances preoccupy the public mind much less than in Europe. I will quote the opinion of General Smith, when, in 1847, he occupied the city of Mexico. After General Jackson's expedition, he was asked if the United States intended to keep Mexico for themselves; he replied, "Why should they? Mexico is an old country, having its own religion, its own customs; its population, though thin, is scattered over its whole extent. The United States want deserts to people and virgin soil to work, upon which their institutions may readily be implanted. Mexico is not to our taste, and deserts and waste lands abound in America."

Since these words were uttered, Sonora and the unsold property of the clergy have been offered to the United States by President Juarez, for seventy-five million (francs?) but the American government and the present Chief Magistrate have refused to negotiate, though thrice urged by Juarez. But will the proclivities of the United States government be modified hereafter? And first, in what concerns the president of the south, Mr. Davis, it is only necessary to turn to his message of 1863, to see that he completely recognizes what has been established in Mexico, and that he desires to entertain none but friendly relations with its new government. This is what he says: "MEXICO.—The events of the year that has just passed away have produced important changes in the condition of our neighbor at the south. The occupation of the capital of Mexico by the French army, and the establishment of a provisory government, followed by a radical change in the constitution of the nation, have excited the most lively interest. Always preferring our own government and institutions to those of other countries, we have no inclination to deny them the exercise of the same right of self-government that we claim for ourselves; if the Mexican people prefer a monarchy to a republic, it is clearly our duty to acquiesce heartily in their decision, and to manifest a sincere and friendly interest for its prosperity." And there is no reason to believe that the disposition of the government of the United States differs from these sentiments.

But it is objected, when peace is declared what will become of the immense armies that have been raised?

I am aware, gentlemen, that this is a problem more difficult to resolve than the one of which Cæsar speaks, when he says, that it is only necessary to stamp with your foot upon the soil of Italy to make an army spring up. More difficult than that is it to cause an immense army to return to the ranks of society; but in Mexico—for I repeat, I bring here only the opinions I have heard in Mexico—the solution of this problem is deemed much more easy in the United States than in Europe. In fact, the rights of labor open the way to various careers, which are not closed up, as in Europe, by the clergy. Besides, in the south, the army is not composed of mercenaries. It is in some sort a national army, which, after having laid down its arms, will soon return home and resume its ordinary occupations. In the north, the army is composed principally of mercenaries, but of mercenaries whose services have been rewarded by bounties of money and of land. All the soldiers of the northern army are, therefore, landholders, and gentlemen landholders do not generally become adventurers.

But is it indeed true that the army of the United States will cease to exist after peace is established? There is reason to believe, supposing the Union to be restored, that in the face of the agitated south and of Canada up in arms, the government at Washington will feel the need of maintaining a standing army; in this case, the remains of the present army will enter the ranks of that one which will then be formed.

Another consideration which I have heard put forth would result from the situation in which the United States government would be placed after the pacification: this government will find that it has heavy damages to repair, and an immense deficit to fill up. Under such circumstances, gentlemen, war cannot be undertaken; therefore, in view of the future government of the United States, the chance of a war does not appear to be strong.

But it is said adventurers, led by another Walker, may attack Mexico. In the first place, gentlemen, it is not conquest from a political motive, but plunder, which is the aim of adventurers. Now if adventurers do spring up in the United States they will have conquests to make far more tempting than that of Mexico: Canada on the one hand, and the opulent Havana on the other. But how should these adventurers attack Mexico? by land? It is well known how precipitately General Jackson concluded a peace with Mexico, and under what conditions the expedition was formed. General Jackson's expedition cost the United States two years in time, and five hundred million francs in money. Would it be possible for adventurers to undertake such an expedition by land, across deserts, where they would have to bring with them all their provisions and munitions of war, and also be obliged to await the rainy season in order to continue their march? By land it is impossible; by water a pretty large expedition—and that is the only kind to be feared—could be kept under the eyes of nations so watchful over the seas, and Europe would not look with indifference upon such enterprises. I therefore believe, gentlemen, that there is nothing to fear from Mexico, from the contingencies which have been mentioned, and I will now conclude with one reflection.

Our expediton to Mexico was undertaken in the midst of a revolution, brought about by science before our eyes. At the present day, steam and electricity annihilate distances, bring nations, so to speak, in contact with each other, by land and sea, with their various wants, interests, passions, chances of disagreement, and also happily place them in strict community of ideas and sentiments, which clearly demonstrate it to be much more the interest of nations to aid one another mutually, than to fight together; the prosperity of one nation is increased by the prosperity of the others. A striking example of this is, on the one hand, the beneficial rivalry of France and England in peace, and on the other, the war in the United States, which not only has disturbed all Europe, but has also caused it to experience an immense commercial and manufacturing crisis. Well, in the midst of this novel situation, with the prospect of the nations of the world being drawn more closely together, and with the chances of peace and war, what will be the scope of the Mexican expedition? The future will tell us in estimating its results. As for us, while waiting for history to write the page consecrated to this expedition, what duty does our conscience impose on us? This duty has always appeared and still appears to me very plain; our flag is pledged; where our flag is, there is France, and we owe it our support. It is for this reason, gentlemen, that we are now in Mexico; it is for this reason that I vote for the rejection of the amendment proposed to you.

[Very good! very good! numerous signs of approbation.]

President SCHNEIDER. Mr. Picard has the floor.

Mr. ERNEST PICARD. Whatever legitimate authority, gentlemen, may belong to the words of our honorable colleague, and the mission with which he has been honored, I must declare frankly to the house, that his speech, to which I listened with the most lively attention, did not convince me, [laughter,] and I will add it cannot convince me. This question, gentlemen, demands from you in its discussion the greatest possible attention; the sentiments which animate us all are drawn together in questions of this nature, and public opinion is more pressing, and more severe than ever upon the topic of our political conduct in Mexico. I will add that, in my opinion, there is, perhaps, no other question in which our concurrence will exercise a more salutary influence upon the interests of our country. It is in our power, at least I have a pride in thinking so, to disentangle the political situation in which our government is now placed. It depends upon you, if you have the will to do this to have also the power. It depends upon you to do in 1865 that which we entreated you to do in 1862, at the time when this grave and formidable (*redoutable*) question first arose in this assembly, and I willingly take up the words which my honorable colleague, Mr. Corta, has just uttered, when, in examining the eventualities which might seem to menace us from the United States, he presented them to you in a still distant horizon. It is not, therefore, too late; for the rest no one would ask of the Chamber or of the government to adopt a policy contrary to the honor of France, and me less than any one, [whisperings.] But we may ask you to adopt a course in conformity with her policy and her duty. [Very good, from around the speaker; murmurs from several benches.]

You have heard what the honorable Mr. Corta has told you. I confess that in listening to his speech two sentiments have been excited in my breast, a sentiment of fascination and a sentiment of fear; yes, his speech fascinated me. Our honorable colleague has brought back from Mexico images the most brilliant; he has sought to gild his words with a beam of that sun he has just left, [laughter and noise;] he has represented Mexico as a land of promise; the emperor Maximilian, that young man with golden locks and azure eyes [exclamations]—I quote his words, gentlemen, [various interruptions]—as the savior come from the east, and promised to the Indians.

I am astonished, gentlemen, at the impression these words of his produce upon you; I am

astonished that you do not recall the events which took place at the setting out of the expedition. Do you imagine that the government, before sending its troops to Mexico and seeking there what it has not yet found, had not obtained information on the subject from men of intelligence who have lived in Mexico, and who with an equal good faith, an equal sincerity, made similar statements? And we know now how a people colder than we are, and a government less impassioned than our own, appreciates in the despatches which figure among the official documents the statements which come from Mexico. We believed the statements we received, and off we started; we are now in Mexico, and we must quit it—we must quit it, gentlemen. The honorable Mr. Corta has told you so. However fascinating may be the situation, that part of his speech which caused him the most uneasiness was the conclusion. And he did not dissimulate to the Chamber, that had he found means which in his eyes would have been honorable to leave Mexico, he would have been the first to join with me in advising to leave it. He would be the first to do so, in spite of the marvellous narrations he has presented to the Chamber. He has told you of the fertility of the soil of Mexico, of the future that is in store for its finances. He has told you of this, gentlemen, but all this is only a personal appreciation, emanating, it is true, from a man to whom I willingly offer my homage, but which does not suffice to convince a great assembly upon so momentous a question. [Murmurs.] It is of this assembly, it is of the honorable Mr. Corta himself that I would ask if he concurs with Marshal Forey, who says: "Yes, unfortunately, everything in Mexico requires remodelling; the moral sense of the country is completely perverted. There is no longer any administration, any justice, any army, any national industry, any anything, so to speak. This is not the fault of the nation." [Interruption.]

Mr. CHAGOR. Before our advent.

A MEMBER. The date?

M. ERNEST PICARD. The date of the speech of Marshal Forey? The 19th of March, 1865. If everything in Mexico is to be remodelled, you will readily admit with me that the situation is not encouraging, nor the time propitious for the loan which is announced to us. If all in Mexico is to be remodelled, if the opinion of Marshal Forey does not coincide with that of our honorable colleague, who will give the casting vote? Who will come here in obedience to the first of all duties, and in face of this assembly furnish us with official documents, which may be checked, examined, discussed? The government. The duty is undeniable. The entire nation is awaiting the day when the government shall submit to the free examination of the majority and of the minority these documents which it has not yet produced. And where are these documents? Of all political questions, the one which, perhaps, possesses the greatest interest at this moment for France is the Mexican question. Of all questions—I except Algeria—that one concerning which we do not possess a single document is the Mexican question. Not a single document. Not a single one. On all other subjects we have had distributed among us, more or less generally, documents, despatches, reports. Upon this subject there has been an absolute silence. We are often told that in France the discussions held in this assembly can replace those liberties which we lack—[Denials from several benches; approbation from others]—and that by carefully examining and checking the affairs of our country we can offer our fellow-citizens those guarantees which they sought in nominating us. But how can a discussion be really serious which lacks a basis? Is it possible, whatever authority may belong to the words of my honorable colleague, is it possible, I repeat, for us to discuss upon words, which, though certainly sincere, are but the expression of the personal opinion of a single man?

This, then, is the situation in which we find ourselves; for upon this subject I have not yet seen the slightest explanation on the part of the government. It must be very grave, indeed, gentlemen, this Mexican question, since it is proposed to discuss it in this manner. What are the reasons why we are left in silence and obscurity in a matter which demands explanations and light? They are twofold. In the first place, the government—and I know not why it should be so in a great country and before a nation like France, where nothing honors more, both those who speak and those who listen, than the truth—the government, I say, wishes to keep us under the empire of illusions the most complete—illusions which the government itself does not entertain. [Reclamations.]

The MINISTER OF STATE. I ask for the floor.

M. ERNEST PICARD. The government tells us the country is pacified. It is not pacified. It tells us our troops are about to be recalled. And yet the honorable Mr. Corta himself has just told us, in his sincerity, that our troops are on the point of marching to conquer Sonora.

Mr. BELMONTET. He did not say so.

M. ERNEST PICARD. He said the conquest of Sonora was about to be accomplished.

M. CORTA. I did not say that. I confined myself to the interrogation, "Is there an expedition preparing to enter Sonora? If so, I believe two things: one, that the expedition will not meet with any serious obstacle; the other, that such expedition will be the last." That is what I said.

M. ERNEST PICARD. I say that the country is not pacified; that the ovations of which we have heard may without doubt have occurred at certain points; but that the feeling of resistance is still very powerful in Mexico. [Reclamations.] And I will give immediate proof of what I say. What is the position which you occupy toward the Mexicans, upon

whom you do not wish to impose a government, but merely to become acquainted with their free wishes?

The *Moniteur* is subject to slips as well as the other journals, and I therefore cannot tell whether or no it was in accordance with the wishes of the government that it published the decree that I am about to submit to you, as furnishing the only reply I shall make to this part of my honorable colleague's speech. The Monterey expedition had taken place. The general entered the city. He delivered it from the yoke of its oppressors. The respectable citizens gathered around the French commander, who proceeded to instal the municipal power. But though no armed resistance was made, still, since all this was occurring in a country which our honorable colleague has so well named a vivacious country, and which proves its vitality by resisting a foreign invasion, a vague sentiment of opposition manifested itself, the existence of which is demonstrated by the following decree:

"General Castagny, commanding the first division of the Franco-Mexican army, being charged with the reconstruction of the municipal authority of the city of Monterey, decrees:

"ART. 1. Pending ratification by the government of the emperor Maximilian, ——— ——— is named provisional prefect of the district; ——— ———, substitute; ——— ——— alcalde, &c.

"ART. 2. Any person designated in the preceding article who refuses to fulfil the functions confided to him shall be immediately punished by six months' imprisonment, conformably with the law."

We have here, gentlemen, a sort of press-gang for functionaries. I do not wish to speak of it with levity, for that would subject me to the remonstrances of the minister of state; and I wish in a question of such gravity to merit, at least, his testimony that I have treated the subject as he desires it should be treated. What does this impressment of functionaries prove? Simply that resistance was universal, and that the ovations were only offered along the route followed by our honorable colleague, who was attached to the person of the sovereign and surrounded by *cortege*. But this is not all, gentlemen. How were you received by those who summoned you to Mexico? And herein lies my reply to what the honorable Mr. Corta said, when, after crying out that honor forbade France to abandon Mexico, he said that if we abandoned it we should leave there our partisans exposed to the malice of the reaction. It is we who are exposed to the malice of our partisans, as you will be in a way to judge from a document which it was not seen fit to submit to us, and we were obliged to hunt up among the official publications. In this document we find the following, where General Negre, commandant of the department of Mexico, writes to Archbishop Labastide: "Incendiary writings are slipped under the doors into the houses. The authors of this culpable manifestation seek to excite vile material interest, which our holy religion repudiates, and to invoke the most detestable passions against the army of the Emperor. I am pleased to believe, monseigneur, that your excellency is ignorant of these criminal manœuvres; I therefore point them out to you," &c., &c. The general concludes by requesting the archbishop to suppress these measures. The archbishop replies: "It is an attested fact, and one of public notoriety, that we have all protested against the two individuals who have the pretension to be a government."

These "two individuals," gentlemen, were not the authors of the incendiary publications.

SEVERAL VOICES. We cannot hear. Louder!

Mr. ERNEST PICARD. It is against the government that the archbishop protests—against the government that we have erected. The archbishop continues: "And against the circulars of the 9th November and the 15th December of last year, declaring categorically that the church, in the plenitude of her immunities—of her rights, is subjected at this moment to the same attacks she had to sustain under the Juarez government, and that never has she seen herself persecuted with greater bitterness. In consequence of the position in which we have been placed, we find ourselves worse off than at that time. Your excellency will therefore perceive that the two documents (our protestation and our letter) contain two propositions relative to the position of the church and her pastors, entirely contradictory, the one to the other. One is necessarily true and the other false."

And which was the proposition necessarily true? That one only which is contained in the letter of which I have just quoted a passage, but which also claims the responsibility of the following quotation:

"Who could have thought that the first steps on both sides would lead to the maintenance of infamous laws, called laws of reform, decreed by the demagogy?" And thus, gentlemen, you are styled demagogues.

His Excellency M. ROUHER, minister of state. Does that please you?

Mr. ERNEST PICARD. I continue the quotation: "Who among you can imagine that the men who have pilfered the power will be unmindful of the religious and patriotic party, and that they will go so far as so take from that party its respectable members, treat them with contempt, and even to threaten them with the severest punishment? Who would think that they could push presumption and impudence so far as to side with the fallen party, and protect laws which have thrown such disrespect and outrage upon the ministers and virgins of the Lord? Who is there among you, no matter how limited may be his intelligence, who has not understood that the regents-general of the intervention are the bitterest enemies of

religion and order?" You see how you are treated by those men who have called upon you—those men of consideration, whose sentiments I have just made known to you, and one of whom, if I mistake not, belongs to the provisional government you have established down there—M. la Bastida. I do not intend to read the entire document, but I merely wished to lay a sample of it before you. And now I hope the honorable Mr. Corta will permit me to ask him, is he very sure that he saw everything? He certainly understood all that he saw, but he has not seen all that he could understand. [Movement.]

DIFFERENT VOICES. And you, what have *you* seen? what have you been able to understand?

Mr. ERNEST PICARD. The second reason why I fear the government has left us in darkness: is one which must be a still more painful one for it, it is that, behind all the brilliant explanations which the government will not fail soon to make, with all the talent of him who shall make them, I place a financial conclusion, viz: that the emperor Maximilian and his government will again make a demand upon the credit and funds of France. It is this, perhaps, which will explain to you why it was not thought proper to submit to our inspection those budgets, those custom-house systems, the brilliant mirage of which dazzled our eyes at the last session. I willingly bow before the financial superiority of our honorable colleague. I know he has often been one of the most experienced authorities on our budget commissions, and when he reports upon a budget, after having seen what he relates, I readily believe his word. When he makes here a Mexican report, [rumors] a report on Mexican finance, I hesitate to give him the same confidence, and I think it my strictest duty, in the name of my constituents, to come here, and, as far as I am able, examine the document and figures which are placed before us.

The MARQUIS DE PERE. There is no Mexican deputy here.

M. ERNEST PICARD. I have not understood the interruption.

President SCHNEIDER. Do not stop for interruptions.

M. ERNEST PICARD. I regret, gentlemen, to say it, but the figures which you have heard to-day are not of a nature to inspire confidence in the hearts of future subscribers. The subscribers to the first loan have seen this loan, issued at the rate of sixty-three francs, fall in a few days ten and twelve francs—fall, I think, even as low as forty-eight francs, and at the present moment rise to fifty-two francs. So that small capitalists, owners of small incomes, attracted by the high rate of interest, believing the government to be morally responsible for an issue made, so to speak, under its patronage, and which may be sanctioned by official discourses pronounced here, [denials from several benches,] may have to be saved by a second loan. But you will agree that the way to restore the equilibrium of our finances is not to unite them more closely than is proper, in these circumstances, to the Mexican finances. I add, that it appears to me contrary to all rules of moral and political economy, that the government should favor (I use expressly no other word) combinations which are forbidden, interdicted to private individuals. What does it accomplish in this first loan? It authorizes this borrower, called the Mexican government, which cannot give sufficient security to its creditors to insure their receiving the interest of the sum, but to place in the office of deposits and consignments four semisties of arrearages. Thus it does what would not be allowed to the smallest commercial company, viz: pay the interest of the loan out of the capital; so that, at the end of two years, those who have not been so prudent as to withdraw from the consequences of such a financial affair will find themselves confronted by an empty treasury, and having no other guarantee than the henceforth well-known bonds of the Mexican loan. Complaints have been madea bout this, gentlemen, and I have in my hand documents which show these complaints to have been energetic. For instance, one of these subscribers in a paper which has, I think, been distributed to you all, and the authority of which I do not otherwise guarantee. [Laughter and exclamation.]

M. ROUHER, minister of state. What authority, before the Chamber, can a document have which you do not guarantee?

M. ERNEST PICARD. The government will explain itself. Here is what I find in this document: "Perhaps the subscribers to the loan will have more real causes of grievance in the facts accomplished during the operation, properly so called, of its issue. The rumor spread abroad of a more than filled-up subscription, corroborated by considerable purchases made the day before, and the very day of the closing of the subscription list, up to one and a half per cent. profit; the irregular delay in announcing the allotments, whilst it was publicly given out that there would be a considerable reduction upon applications already made—all this has certainly contributed to swell the number of applicants, and prevent subscribers from extricating themselves, in leaving the market open to those only who were acquainted with the true position. Whence proceeded these false reports? Whence came these purchases? It is not the purpose of this document to seek the answer. It suffices to state the share of influence they have exercised. Thus much is certain, that while the loan could be subscribed to with one per cent. discount for brokerage, purchases with premium were made one day on a very large scale—not by hundreds of francs of capital, but by hundreds of thousands of francs of interest all at once; that it would be easy, by tracing up the bonds delivered, to discover by whom these purchases were effected; that they stopped as soon as the subscription was closed; that they were forced to believe the loan entirely filled up at the risk of entering into explanations rather too delicate; and that, lastly, subscribers have

determined by this to increase the quantum of their applications, the author of this document himself heading the list.

"Who has laid the affair before the public? The *credit mobilier*, a privileged institution of the government. Who has received, one might almost say, who has solicited subscriptions from the public? The agents of the *credit foucier de France*, another privileged institution of the government. Who represents the *credit foucier de France* in the provinces? Notaries public and private collectors of finance, functionaries holding office from government. This side of the question alone suffices. It does not result from this that France ought to guarantee the solvency of Mexico; but the public cannot be prevented from viewing, in what has already been done, a governmental support, carrying with it at least a moral responsibility, and thus is assuredly one of the principal determining causes of the subscriptions made to the Mexican loan. This idea gains undeniable strength from the preceding and daily acts of the French government."

This, gentlemen, is what the subscribers to the loan have published, [ah! ah!] and what is indispensably necessary to be made known, now that we are on the eve of having a second loan attempted; for as truly as I recognize the legitimate right of the government to call upon the public credit to negotiate the sixty-six millions it has on hand, to invite all capitalists to join in an operation that it considers sound, so truly do I believe it to be its imperious duty not to make such operation without first clearly enlightening those who are appealed to, without informing them to what consequences they are exposed, and without everything being conducted with a complete and entire royalty. [Very good, from several benches.]

Such being the case, the basis of the loan that you would make, which has benn announced to us by Mr. Corta, and which was not certainly the cause of his discourse, although it formed its most direct and precise interest. The basis of this loan is the financial prosperity of Mexico. Now, the light we ask of you is, light upon the financial prosperity of Mexico. The Hon. Mr. Corta endeavored to give it, and he told us—citing the authority of a minister of the Mexican finances, the best statistician I believe that Mexico possesses, Mr. Lerdo y Tejada—he told us that this economist had in 1857 computed the proceeds of the customs revenue to be worth nearly eighty millions; seventy-five millions at first, he said; eighty millions after the opening of the ports of the Pacific, and a hundred millions even, taking into consideration the increasing prosperity of the country. This is the only document I should have been able to verify among those cited by my honorable colleague, and I requested him to show me the statement of this minister of the finances. But my honorable colleague was not in possession of this statement; had he seen it with his own eyes, I should have accepted the figures; but he had never seen it. He had obtained his information only through a third person. It so happens, however, that I have in my hand [the orator unfolded a great roll of paper, which excited the risibility of the assembly] a synoptical table of the finances of the Mexican republic, drawn up, not in 1856, but in 1850, by the Hon. Minister Lerdo y Tejada. I am ignorant of his having issued a new one in 1856. If it has been so stated to my honorable colleague, I shall believe; only I must remark that if such is the case, the civil war has greatly benefited the country, since from 1850 to 1856, at the time when Mexico was in the greatest state of agitation and suffering, when the republic began to have the upper hand, the revenues of the customs had doubled.

In referring to this only official, or at least authentic document, I have been able to obtain, so as to appreciate the value of the exposé of my honorable colleague, I have been disagreeably surprised to find that not only the customs receipts, but those of the entire revenues of the country do not amount to more than the half of the figures given by the Hon. Mr. Corta, or rather given to him. [Movement.] They are put down at 8,500,000 piastres, that is, forty-two millions instead of eighty millions.

Mr. CORTA. Will you allow me to make an observation?

Mr. ERNEST PICARD. Willingly.

Mr. CORTA. I took the information which I laid before the Chamber from the documents of former ministers of the finances, and also from a paper which I had not seen, as I told my honorable colleague, Mr. Picard, but of which an extract was given me by a Mexican who is at present in Paris. If the Hon. Mr. Picard had conferred with me upon the subject of the discrepancy which he believes to exist, but which does not exist, I could have obtained further information from this Mexican; but, I repeat, no discrepancy exists.

And in the first place, the writings of Mr. Mora Blasio, and of Mr. Antonio Garay, one of the most distinguished ministers of the Mexican finances, who wrote in 1835, 1836 and 1837, demonstrate that the revenues of the customs, not the net revenues, but the gross revenues, might, by adding in the profits robbed from the exchequer by contraband trade, amount to nearly the sum indicated by Mr. Lerdo y Tejada. For these former ministers counted the possible revenues of the customs at seventy-five millions, and Mr. Lerdo y Tejada, who wrote later, carries them to eighty millions, that is to say, to five millions more.

Now, what does the Hon. Mr. Picard oppose? To a paper of Mr. Lerdo y Tejada, written in 1856 or 1857, he opposes an anterior synoptical table, from which it results that the net produce of the revenues was, according to Mr. Lerdo y Tejada, inferior to that I spoke of. But the synoptical table shows the net produce only, while the work of Mr. Lerdo y Tejada comprises the net profits, the accumulated gross profits, and the profits which are

stolen from the exchequer. There can be no possible comparison, neither by analogy nor discrepancy.

Mr. ERNEST PICARD. Was I not right in saying, at the commencement, that we must beware of the fascinations of Mexico? And are not those finances rather fantastical in which we find the number wanted without discarding the unknown quantity, and in which we reckon not only what enters into the treasury, but also what does not enter, but which probably ought to enter? [Laughter.] We are not accustomed to discuss affairs with such a large margin; and my honorable colleague must allow me to observe to him, that if that were the only guarantee furnished to the subscribers to the loan, and if they knew it were so, and did not see behind the loan the government in its power, its majesty, and moral responsibility, there would be no subscribers. I say it without further insisting upon this ungrateful portion of my task. I shall have fulfilled it if I have succeeded in demonstrating to you that it is impossible, even with the greatest good will in the world, and without being in any way systematically opposed to Mexico, and its prosperity—[interruption]—impossible, I say, to look upon our financial relations with Mexico as an excellent affair. I think, on the contrary, that it is time to remember what the Hon. Mr. Berryer said last year; about this time when making the account of Mexican finances, its debt and its resources, he showed that the minister of finance of the Mexican empire, whose report had been published there in the Morning Post, had said that not only was a loan, giving one hundred and twenty millions to the Mexican government, necessary, but that to save it, it would require a loan of seven hundred and fifty millions, otherwise it could not meet its expenses. The Hon. Mr. Berryer, our illustrious and eminent colleague, was very nearly in the right.

At present, gentlemen, who can dispute it? Surely not the minister, who, questioned by me for the third time, (and in truth I fear to question him again,) is about to announce to you for the third time that a loan is imminent and perhaps desirable. I say, then, gentlemen, that in the light of wisdom in the good administration of our finances, as well as of wisdom in our foreign policy, the affair of Mexico presents nothing satisfactory to us; and I am sure in thus expressing myself that I agree with the secret sentiment of the Chamber, and I may say before it what it thinks in all sincerity. But, gentlemen, in face of this fact, what is our duty? What have we to do? In order to understand it well, and know just how far we may venture to go, it is indispensable in this question also to take a retrospective view.

It was in 1862 that for the first time we were informed in this place of the Mexican expedition, and in 1862 we disputed the utility of this expedition, and declared to the government that it would not easily obtain those indemnities it went so far at such a cost to seek. We told it that behind this enterprise was concealed another, inspired by a candidate, and that candidate was the Archduke Maximilian. What answer was made to this? What were the words of him who was then the eloquent organ of the government? He said to us, When such suppositions are affirmed, proofs must be brought forward to support them, and you have none. The aim of the agreement between the three powers was to require from the Mexican republic a more effectual protection to their respective subjects, and the fulfilment of the obligations contracted by this republic. And the honorable orator added: "The three contracting parties are pledged to reserve no acquisition of territory and no private advantage, and to exercise in the internal affairs of Mexico no influence of a nature to violate the rights of the Mexican nation to choose and freely constitute the form of its own government."

Thus it was acknowledged that if the archduke were behind the expedition, you would not have been asked to vote for the expedition.

The following year we resumed the subject. All the world knew the Archduke Maximilian to be the candidate. The minister of state himself acknowledged that since October 31, 1861, (and this took place in the session of March 13, 1862,) that since that period an engagement had been entered into with him. "It was then necessary to look about one," said he. "A name has been pronounced, the name of a prince of that great house of Hapsburg, which shortly before we encountered on the battle-fields of Magenta and Solferino. The Emperor has thought himself magnanimous in not opposing this candidate, and if it obtained universal suffrage it must be respected." That is what was done October 31, 1861; that is, several months before the time that the contrary was told us in this building. The proof, gentlemen, is very clear and cannot be denied.

The following year we resumed the subject. You know, gentlemen, what obstacles the expedition had to surmount. We were again told, "We desire that the Archduke Maximilian should become emperor of Mexico, but no engagement to this effect has been made with him." And when, with the authority of his word, the honorable M. Thiers said in this house that the engagement was inherent to the situation, everybody cried out. The honorable M. Granier de Cassagnac exclaimed, interrupting M. Thiers, that there was no engagement, and that the archduke set out because he wished to do so. The honorable minister of state declared also that there was no engagement. And, gentlemen, the affair is too serious for me not to place before the Chamber the words which were uttered on this occasion.

In the session of January 27 Mr. Berryer said: "Is it true that the government has entered into no engagement binding the country either in a financial point of view or as concerning our soldiers? Is the country committed, or is it not?"

"Mr. ROUHER. If you had read Mr. Larrabure's report you would have been enlightened on this subject."

"Mr. SEGRIS. I request permission to say a word. The reply of the government organs which I find in the report, and which I bespeak for my share of the debate, is as follows: The Emperor's government declares that at present it has not entered into any engagement whatsoever, either to leave a corps of French troops in Mexico or to guarantee any loan, and that there is no reason to suppose it necessary to augment the French forces at present in Mexico."

Every one, with the exception perhaps of the opposition, whose mistrust in all that relates to this question appears to be incurable, [smiles from several benches,] placed confidence in the words of the honorable minister of state. One member only, one of the most eminent, who has often occupied the seat of minister, and who knows all the weight attached to the words of a minister, [murmurs,] interrupted the reading. He can readily comprehend the reserve under which the honorable Mr. Rouher will seek a refuge, from which I have no intention to drive him. The honorable Mr. Thiers interrupted Mr. Segris by saying "at present." Upon this interruption of Mr. Thiers the Moniteur stated that a movement was produced in the assembly. This movement took place on the 27th of January, and on the 10th of April a convention, regulating the loan, the sojourn of our troops, and the payment of the Mexican coupons, was signed and engagements entered into, and upon too large a scale to have allowed them, on the 17th of January, to be avowed to the Chamber in the same terms in which the convention at Miramar was concluded on the 10th of April.

And now, habituated by our situation to moderate our desires, [laughter and murmurs,] we solicit you not to permit the convention of the 10th of April to be again overstepped, or that once more, before this Chamber, at the same date, you listening and the minister speaking, a session shall be held in which engagements shall be entered into upon the same terms, nothing more nor less, and then be carried out as in preceding years.

The Chamber is aware that the honorable minister of state has been present at only a portion of these debates, but the entire Chamber has assisted at almost all. It has watched the rise and progress of the Mexican question, and I assert that the hour has arrived when it becomes its duty, as it is its right, to bring this question to a close.

I assert, gentlemen, that when a Chamber has been induced by the government to accept in perfect confidence that which has been proposed to it, and allowed itself to be led whither it would not have gone of its own accord, I assert that this Chamber has a right and a duty. It has been trustful; it must now resist. It cannot and should not in face of the minister, in face of the government, make use of parliamentary courtesy, [dissent from several benches; assent from others,] because state affairs are not regulated by courtesy and excess of confidence. I leave all other questions to your discretion, gentlemen, but in the Mexican question we are released from this duty toward the government. You are searching, for the interest of the country, for that policy which this time you ought not to recommend timidly to your country; but—permit me the word—you should enjoin upon the government by a vote and a manifestation. We do not ask you to join our party; but can it be possible that, in a question where you think as we do, where the interest of France appears to you as it does to us, where you see your duty as clearly as we do, that a man should not rise up from your midst, were it but—were it but—I withdraw the word, and I wish it might be the honorable M. Segris, whom I just now quoted, who has withheld, as he says, the declaration of the government, and who certainly must have withheld it for more than a year. The honorable Mr. Segris said, "This is the declaration which has been made; I withhold it;" and the honorable Mr. Rouher added, "I withdraw nothing from it." The declaration is there; the engagement exists; and, since it does, it must be kept. What is it? It is the engagement entered into by the convention of 10th April, 1864, by the convention of Miramar; or rather it is the engagement entered into in these precincts, for the convention of 10th April, 1864, like all conventions that pass between sovereigns, and are not submitted to the assemblies, is not altogether in conformity with the policy that has been explained here and sustained by the organs of the government. It has a preface of which I would willingly hear the honorable minister give a different interpretation from mine; it is thus conceived:

"The governments of his Majesty the Emperor of the French, and of his Majesty the Emperor of Mexico, actuated by an equal desire to secure the re-establishment of order in Mexico, and to consolidate the new empire, have resolved to regulate by a convention——."

If nothing more is meant than a *desire* I have no more to say; but if this "desire" contains the tacit and inevitable engagement which it is proposed to you to take in following this policy, the Chamber, which was not a party to this convention, and does not incline to this policy, must disengage itself from it. And in what manner must it do so? It must do that which was provided for by article 1 of the convention, thus expressed:

"The French troops that are now in Mexico shall be reduced as soon as possible to 25,000 men, including the foreign legion. This corps will remain temporarily in Mexico, to protect the interests that led to this intervention, in conformity with the conditions regulated by the following articles."

Here I pause to remark to the government. You declared in the report of the honorable Mr. Larrabure, to which you called attention in the session I spoke of just now, and to which you referred our colleagues in these words: "Read it and you will be enlightened." You declared the year 1864 should not pass away before the French troops should have returned to France. [Sign of denial by the minister of state.]

Mr. JULES FAVRE. Yes, yes; it is in the report. [Noise.]

Mr. ERNEST PICARD. This is what I read in the report of the honorable Mr. Larrabure: In the present provisions the government hopes that the end of 1864——." [Interruption.]

MANY VOICES. "Hopes!"

Mr. ERNEST PICARD, continuing: "that the end of the year 1864 will mark the termination of the expedition. Moreover, arrangements have been proposed whereby, from the 1st of January, 1864, Mexico shall contribute more efficiently towards the pay and the maintenance of our troops."

SEVERAL MEMBERS. Well, well!

M. ERNEST PICARD. The report says further: "In the first place, and in a general manner, the government has no intentions of undertaking new expeditions." You know that now an expedition to Sonora is again spoken of. "As for the expedition of San Luis de Potosi in particular, it was judged necessary in order to occupy the most important parts of Mexico. The country between San Luis and Mexico contains important centres of population. The occupation of these parts became necessary, precisely to hasten the accomplishment of the work undertaken, viz: the redress of our grievances, and the possibility for Mexico to choose freely a new government. Having the country under our control as far as San Luis de Potosi, we can more rapidly and successfully see this result realized. The army will stop there." Has it stopped? [Interruption.]

M. AUGUSTE CHEVALIER. It went forward in the face of peril.

M. ERNEST PICARD. That is true. Its achievements were splendid, but our policy was not. [Approbation in the vicinity of the orator.] I proceed: "Universal suffrage, operating naturally according to the customs or institutions of the country, will be invited to choose the form of government it prefers; whatever may be its decision, France will respect it." Is that what we are doing? I ask you this sincerely, loyally, in the capacity of a deputy anxious to fulfil my mission, and to obtain, if possible, the concurrence of my fellow-citizens and colleagues in a question which touches so nearly the most important interests of our country, both present and future. I ask you, have you done this? You have not; the Chamber knows it. Your engagements were made while you were in the chamber, and as soon as you quitted it you forgot them. [Disturbance.] You have returned to it, and I recall them to your remembrance. I remind you of them at the time, when, if we understand the language of politics, we ought to be able to see, by the explanations given us in these precincts, that not only has the French army not stopped, not only has it not returned in 1864, but also that it will not return in 1865.

SEVERAL MEMBERS. Very good!

M. ERNEST PICARD. Is it not true? Does any one contradict me? This time the minister takes no further engagement, and I thank him for it; but by taking no further engagement, he gives warning to the Chamber; and if the Chamber is warned, what is its duty? Who are we here—for what? Can it be that the discussion of the address is nothing but a political pastime? [Disturbance and murmurs.]

M. BELMONTEL. The pastime is rather a long one!

PRESIDENT SCHNEIDER. I must beg of M. Picard * * * *

M. GLAIS BISOIN. Oh! the word is parliamentary; we all accept it!

PRESIDENT SCHNEIDER. If it be parliamentary, it is not well chosen in the midst of such full and serious debates. [Very good; very good!]

M. ERNEST PICARD. I wish that to-day's session might prove to me that I have expressed myself badly. I wish that, animated by the same sentiments and intentions as myself, my colleagues might form the same idea as I do of our mission, and our mutual duties. [Fresh interruption.]

SEVERAL VOICES. We know them!

M. GRANIER DE CASSAGNAC. Do you claim to be a model deputy? [Noise.]

M. ERNEST PICARD. Do not be afraid, gentlemen; I shall form no theory infringing the constitution; I shall not ask you to interfere in the administration; but I ask you whether or no you have the right and the duty to vote efficiently in this assembly upon a given question about which your opinion is settled?

M. GRANIER DE CASSAGNAC. Certainly we have.

M. ERNEST PICARD. Does the address sufficiently express this sentiment? I have read attentively the paragraph now under discussion. It certainly differs from last year's compilation; and certainly in the ingenuous phrase, wherein the commission of the address expresses pleasure in witnessing the return of our troops, the imitation is not sufficiently precise for the government not to be able to misunderstand it. Having been three times held at bay upon this question, I conjure you, not in your own interest, not in that of the government, nor for any secondary political reasons, but in the great interest of the country, to declare your sentiments, if you have that courage that will * * * [Exclamations and murmurs.]

NUMEROUS VOICES. Order! Order!

M. GRANIER DE CASSAGNAC. Such expressions cannot be tolerated.

PRESIDENT SCHNEIDER. I call on the honorable Mr. Picard to explain himself.

M. TAILLEFER to M. PICARD. Take back that word!

PRESIDENT SCHNEIDER. I call upon him to take back a word which may wound the feel-

ngs of the Chamber. It is not courage, but conviction, which acts in this place: and in France, where there is conviction, courage is never wanting to express it. [Very good; very good!]

M. TAILLEFER. I require that the honorable orator take back his expression. [Yes, yes; order!]

PRESIDENT SCHNEIDER, (addressing Mr. Picard.) I beg of you to withdraw your expression.

M. ERNEST PICARD. I appeal to the whole Chamber to admit, with me, that the resolution to be taken in this circumstance is one that requires a certain amount of courage. [Denials and noise.]

PRESIDENT SCHNEIDER. I again invite Mr. Picard to withdraw an expression which is somewhat offensive to the Chamber.

M. ERNEST PICARD. I withdraw it unhesitatingly. I am here to discuss a grave question, and not to offend the Chamber.

PRESIDENT SCHNEIDER. You are fully aware, Mr. Picard, that you must respect the convictions of your colleagues if you wish them to respect yours. [Very good!]

M. ERNEST PICARD. I respect them fully, and have just given proof of it.

I continue. You see, gentlemen, in what manner I take the liberty of placing this question before you. It is clear and precise, and closely connected with the gravest interests of the country, and your most imperious duties. I say, that if you decide to vote the second part of our amendment, which runs thus: "In conformity with the declarations of the government we await the recall of our troops," you will explicitly express your wishes. If, however, you will not associate yourselves with an amendment which comes from our side, you can make one for yourselves which will express the same idea. By so doing you will, in my estimation, and as I said at the opening of this debate, render the most signal service to the government. You will disembarrass its policy. When it has been decided and acknowledged in the French chamber that our troops can return with honor, without detriment to any one, the government then will no longer be restrained by these vain and egotistical reasons which were just now brought forward, but will be able to fulfil its secret desires, and conscientiously satisfy its political conduct. [Very good! from several benches.]

M. ERNEST PICARD. Can you do it? You can do it this year; you could have done it better last year; and better still three years ago. The pretexts, or, if you like it better, the reasons that prevented you last year, no longer exist. It was asked, with whom shall we treat? And the minister of state replied, "France does not treat with her enemies; she will not treat with Juarez, nor with the bands behind Juarez."

One word upon these "bands;" and, in order that I may not be told that we associate our idea, which we do not, with men who are rightly called bandits—as they have been called by the government in former discussions—I inquire of the emperor Maximilian and his ministers, whose conduct in this respect I honor—for, in this sense, they have inaugurated a liberal policy—I inquire of the emperor Maximilian and his ministers, in what manner those men should be treated who still resist the new government of Mexico? The minister of the interior, Mr. Gonzales de la Vega, expresses himself thus in a circular referring to those persons who lay down their arms: "His Majesty entertains the warmest desires, and makes constant exertions, to obliterate every trace of the dissensions that have for so long a period desolated the country, and to renew the ties of brotherhood which ought to unite the great Mexican family. He cannot, therefore, see with indifference that when certain persons are spoken of, odious qualifications are used which are in disunion with his policy and his conciliatory sentiments. With this object in view his Majesty in the decree of the 6th instant, wherein he calls around him all those who have opposed or still oppose his government, without being otherwise criminal, has avoided the use of the expression *indulto*," (pardon.) Such, gentlemen, is the way they think in Mexico; I am convinced our soldiers think the same, not fearing to honor those with whom they have fought. I say, therefore, that the minister appears to me to exaggerate when he solemnly declares to this tribunal that it was impossible to treat with Juarez; but this is no longer the question. And when he said it was impossible to treat with Almonte, who was merely a provisionary chief, although installed by the French government itself, I reply, that although this may have been a reason, a specious one, this reason no longer exists. The Archduke Maximilian is now on the throne; he is seated there in virtue of an universal suffrage, very restricted certainly, and especially by the vote of the assembly of nobles. And here—I trust the government will permit me to speak it out—arises an invincible dilemma. If votes must be sought for in the recesses of the mountains, by the edge of the sword, these votes are no longer free, and we would prefer not to have the guarantee of universal suffrage if it must be so obtained.

The emperor Maximilian is, I assert, sufficiently firm upon his throne to permit the recall of the French from Mexico. Last year you said it could not be, as he was not then installed. Now he is; ovations you tell us accompany him on every side. The pacification is effected; you yourselves declare this fact to us; you withhold from us documents that give a contrary statement, and I thank you for withholding them, if it obliges you to declare from the tribune where you stand, "The emperor Maximilian is on the throne of Mexico; and, as I informed you last year, we have entered into no engagement to sustain him there; there is no necessity of our sending out our French soldiers under a foreign flag, and we may now stipulate with

Maximilian for the return of our troops." In such a case, I withdraw my amendment, and thank the government for having performed an act of sound policy and true patriotism.

And now, gentlemen, I must beg you to note that whatever seeming irritation there may have been in our debate, I have carefully abstained, throughout the perplexing circumstances which surround our heavy task of duty, from saying a word about these threatening contingencies which hang over the question, and of which you are perfectly cognizant. [Murmurs.] On the other hand, you must judge whether it comports with it, comports with a true and judicious policy to keep thirty or forty thousand French troops and a portion of our fleet engaged for years in the Mexican expedition, three thousand leagues distant from the war we are actually carrying on in Algeria. Is it a sound policy? Is it a patriotic policy? Is it a policy which a French Chamber can accept? No! a thousand times no!

They did not dare to present it to you in this light when they drew you into this expedition; and can I forget that you constitute to-day the sovereign expression of the will of the nation? that when you speak, if you do speak, all, and the government before all, are bound to obey? I conjure you, in the name of French interests, to speak, and to protect the government itself, and, above all, France. [Expressions of warm approbation around the speaker.]

PRESIDENT SCHNEIDER. The minister of state has the floor.

His excellency Mr. ROUHER, secretary of state. Gentlemen: Government does not ask you for a vote of trust; still less does it demand of you a vote of complaisance which you would not grant. It asks for your sincere, enlightened, and free judgment on the affairs of Mexico, [very good;] and, in order to aid you in forming an opinion, it is its duty to inform you of the facts, and of its convictions concerning them.

And first, I meet in the Hon. Mr. Picard's discussion a reproach which I could in no wise expect. The government, says he, makes silence around the Mexican question; it produces no documents, no papers in the debate; it shows itself unwilling to give any information, and thus compels the opposition to discuss the question at a great disadvantage.

What, gentlemen, has the house, has the country, remained ignorant of the events concerning Mexico? Has not all possible information been given to public opinion, and to the members of this assembly? Every fortnight, at the arrival of every mail, either in England or in France, the Moniteur publishes with most scrupulous fidelity every military, political, or administrative information relating to the Mexican question. You can examine all these documents; I know of no omission nor of no interruption in them, for, so far as I am concerned, I declare to the house when I wished to inform myself concerning the events which have taken place in Mexico since last year I merely and simply read the Moniteur. Thus the reproach addressed to government by the Hon. M. Picard is utterly unfounded.

Let us now examine rapidly what Mexico was before, and what it has become since, the emperor Maximilian ascended the throne; what the present position is, and what duties that position entails upon us. Let us consider at once, as did the Hon. M. Picard, the paragraph in your address, and the amendment to it proposed by the opposition.

Mexico, prior to the French intervention, (and all agree on this point,) was a prey to the most deplorable anarchy. For fifty years it had undergone all the sufferings entailed by prolonged revolution; governments succeeded each other with the most marked want of stability; civil war reigned in central Mexico, and in a large portion of the south. The northern provinces had thrown off the yoke of all authority, the governors having long since declared their independence.

There existed in that unfortunate country a sad contrast between the riches with which God has endowed it, and the disordered rule of the leading classes which governed it. As was said yesterday by the honorable M. Corta, labor, the love of order, and patriotism, had no longer a home there; but among the long-oppressed Indian population, agriculture, industry, and commerce had no security of existence or of duration; labor no future to look to. And this disorder did not injure the natives only; it reached all foreigners who had come to bring their activity and their industry into the various parts of Mexico.

Such is the origin of the resolution taken by three great nations to avenge the injuries received by their countrymen, and the outrages to which they had been subjected. Such was the condition of Mexico.

What has it become since the French intervention? What has it become since the emperor Maximilian ascended the throne to which he was called by a regular, universal suffrage, whose votes were presented to him when he accepted the crown; what has it become since?

But, first, let us ask, at this moment, when that question is propounded to us, how long a time has there elapsed to justify a demand for the absolute pacification of Mexico?

The emperor Maximilian has hardly been ten months in possession of the Mexican empire and of the city of Mexico, and we are already asked to give a strict account of all the events which may have taken place!

Well, let us look at the facts.

French intervention has procured a durable peace to the central part of Mexico; but a large portion of the country had not yet been embraced by the operations of our troops. All the northern provinces and part of the south along the Pacific coast were yet in the hands of the adversaries of the empire, and that for the reason given a moment ago by the honorable Mr Corta. The federal system had divided the country into almost entirely independent provinces; each governor had his own administration, his own justice, his own army, his own

finances; paid and equipped his troops, and had an arsenal of his own at the seat of his government.

Thus there was no centralization of the administrative powers, but a complete dispersion of all authority, and even of financial resources, for the governors levied taxes, but very seldom did any portion of them reach the hands of the central administration at Mexico.

The emperor of Mexico had, therefore, a two-fold mission to fulfil. He had first to reorganize the administration and government in the parts of the country which were pacified; he had the difficult task of steering clear of the passions of the contending parties, avoiding the exaggerations of the clerical party as well as the fiery demands of the party called liberal in Mexico.

He had, besides, to organize in the midst of these factions a new party, at once conservative and liberal, which should avoid all the above-mentioned obstacles.

It is, undeniably, a difficult task that of reorganizing all this complicated administrative and governmental machinery which, in the Old World, we can establish only with a great deal of time and patience, and which we have perfected, but after paying often very dear for our mistakes.

He had at the same time to establish his authority in the more remote parts of his empire, to overcome the influence of Juarez, and to counteract the efforts of his party and of the governors, who considered themselves independent.

What has he accomplished, gentlemen? He inaugurated his administration by a general amnesty, thus urging the country to quiet, to peacefulness, and seeking to lead the people to ideas of order and those of the government. Then he convened, as you were informed by Mr. Corta, all the most enlightened and eminent men of the city of Mexico and of the provinces, without distinction of parties, and without inquiring into the part played by them in former political events, and he intrusted them with the task of inquiring into the questions of finances and that of the organization of the army.

Finally, in order not to act too precipitately in anything in this country, rendered sore by revolutions, he went himself into the provinces, visited the principal cities, inquired into the tendencies, the ideas, customs, hopes of the people, thus gathering all the information which could be useful to him in the difficult art of governing a nation.

After his return to Mexico, making up his mind at once, he resolved all the questions which had to be disposed of, and determined the administrative course of the prefects of the empire by instruction worthy of the homage they received yesterday.

He has organized a council of state; he has restored justice—that justice so endangered in Mexico has been by him established on a firm basis, which guards at once its learning and its liberties. And this was doing no little, gentlemen. The administration of justice in a country is more than a governmental question. It is a social question. For it is in the administration of justice we find the most solid basis of the future and grandeur of a nation. [Marks of approbation.]

When this was done he inquired into all the questions which related to the increase of the public wealth. He sought to give the strongest possible impulse to enterprises facilitating the means of communication between the various parts of the country.

In these efforts did he meet with general confidence? Has he enlisted the sympathies of Europe? Have no manifestations occurred around him of a nature to prove that his empire is already firmly established, and offers most satisfactory guarantees to public opinion?

I consider the movement which has taken place during these nine months of the events of which I have to give an account to the Chamber. This movement has been as follows:

The customs of Vera Cruz and of the other ports of the empire have considerably increased. The English, who showed themselves very suspicious at the time of the loan, have gained confidence, and the great railway, which is to connect Vera Cruz and Mexico, has been conceded to an English company, who will fulfil the contract entered into by the firm of Escenda and the government of Juarez.

This is not all. Various companies are being organized in Mexico; the Guanajuato and Guadalajara railways, which are to connect the principal cities of the empire, have been conceded; the mines of Durango, including both the old lodes and newly discovered ones, are being worked by mining companies; science and speculation have joined hands to aid in developing the resources of the country. Besides the gold and silver mines it possesses, there have been discovered iron and coal mines and petroleum lands, all of which are about to be worked.

Something more was needed. Communications had to be established between the ports of the two seas which surround Mexico. A company was organized for this purpose, and now a line of steamers ply between the ports of both seas, insuring rapid communications along the coasts of the Mexican empire.

On the other hand, gentlemen, the emigration movement spoken of by the honorable M. Corta, has received a commencement of execution. I read in the Moniteur that large tracts of land in the province of Zacatecas are being offered to European immigrants.

Finally, as a last evidence of the progress making in Mexico, and a most promising symptom for the Mexican empire, is the formation with French capital of a national Mexican bank, which will soon organize the commercial credit of Mexico.

Such results obtained in a new country, in a country which is but now attaining social

existence, developing for the first time its resources and powers would be essentially worthy of attention and admiration.

How, then, shall you consider them when they are realized in a country so long a prey to civil war, still restive and disturbed, and of which a large portion was still a short time ago in the hands of the enemy we were fighting?

One word about military expeditions.

The honorable M. Picard has said that these military expeditions were undertaken under circumstances rendering them at once unreasonable and useless.

But which were the provinces where Juarez had sought shelter? Where was he still ruling? What resources was he availing himself of to organize the "corps d'armee" which we had to conquer? He had taken refuge in the State of Durango, and thence ruled over the States of Nuevo Leon, Coahuila, Tamaulipas, Chihuahua, and Sonora.

He drew his supplies from the port of Matamoras, situated on the American frontier, and from various ports on the Pacific. Was it reasonable, was it possible for the emperor Maximilian to let this opposition increase, fed by the Mexican customs, which he had a right to rely upon collecting?

Under these circumstances was the expedition undertaken, and now reproaches only are addressed to the brave troops who courageously marched from victory to victory through the immense territory they had to cross. [Very good, very good.]

A VOICE. We did not blame our soldiers.

THE SECRETARY OF STATE. You did not blame the soldiers, but you blamed the eminent officer who, in order to insure the completion of our undertaking, and to hasten the return of our troops, undertook these expeditions; led by political considerations, you blamed the eminent chief who planned these far-off expeditions, and you sought to make government contradict itself.

A VOICE ON THE LEFT. It is the system.

THE SECRETARY OF STATE. Yes, our troops, commanded by Marshal Bazaine, took possession successively of Durango and Monterey, then strengthened by Mexican troops, and, assisted by our navy, they seized Matamoras, and thus dried up the source of Juarez's supplies, which he used against us. They did not stop there. Marshal Bazaine sent General Douay into the State of Jalisco, and gave him the charge of subjecting these agitated provinces then advancing toward the regions along the Pacific coast, we brought them all under the rule of the emperor Maximilian.

We have been to Acapulco, to Tepic, to San Blas, to Mazatlan; perhaps we are at present on our way towards Guaymas, the most important port of Sonora. Everywhere did we vindicate the honor of the French flag, or rather of the Mexican flag, whose defenders we were. [Very good, very good.] A worthy crowning of these great undertakings was the unconditional surrender of Oajaca, of its governor, Porforio Diaz, and of the four thousand men of his command.

Now, gentlemen, that our conduct has been explained, and a condensed account of our operations presented, what criticisms are made against us?

If I understand the Hon. M. Picard correctly he brings two principal accusations against us: an overweening confidence in the resources of Mexico, and a breach of promise.

We would allow the Mexican government to negotiate a loan in our market when Mexican finances, according to his opinion, do not present sufficient guarantee.

We had promised to withdraw the troops at the end of the year 1864, and we violated that promise.

As regards Mexican finances, gentlemen, did not the information imparted by the Hon. Mr. Corta fully satisfy the house concerning the resources of that country? [Yes, yes.]

The honorable M. Picard got hold of I know not what kind of statistical tables, which he showed the house from a distance, and which he finds, says he, contradict the statements made by the Hon. M. Corta, statements taken from a former minister of finances in Mexico.

Did the Hon. M. Corta, in order to convince you, merely give you the indications of some writer or other? Did he not analyze the position of the Mexican empire under Spanish rule, afterwards as a republic, and again after the United States had taken possession of it? Did he not follow up the question in the mos tthorough manner, proving that as far back as in 1804 the resources of Mexico represented one hundred millions of taxes, of which fifty millions—the figures are due to M. de Humboldt—were handed over to the Spanish authorities, who used part of it for the colony and sent the other part to the mother country? This is also confirmed from other sources.

In 1846 the Americans had possession of all the Mexican ports; they could collect the Mexican customs for their own use. How much do the documents of that time value them? At eighty to ninety millions; the very figures mentioned by the Hon. M. Corta.

There was less contraband and fewer frauds going on then. The Americans managed the customs in a way which gave the best guarantee in that respect.

These figures were but the rough product, I know. But Mexican budgets are made as we make them in France. In the budget of expenses figure the expenses for the administration and collecting of customs, while the rough amount derived from them figures in the budget of receipts.

It was, therefore, natural for the Hon. M. Corta, when counting up the resources, to put

down the receipts at eighty to ninety millions, expressing the hope of seeing these figures increase, indicating, as he did, that the entire budget, including the interests on the state debt, did not exceed one hundred and fifty millions. He then counted up all the resources which revenue taxes and the tobacco monopoly would give Mexico, and said there was a wide margin of resources and securities which Mexico could rely upon and give in pledge to Europe.

Gentlemen, permit me to offer you a consideration which will make the house trust in the vitality and powers of that country.

Do you think that, during the civil war, enormous contributions were not levied by the contending governments?

Some days ago I questioned an honorable general recently returned from Mexico, and asked him what he thought of the resources of that large empire. "That country," answered he, "has paid three hundred millions taxes during fifty years; during fifty years the irregular governments existing there levied on Indian labor, on Indian produce, and on the goods passing through the custom-house, two hundred to three hundred millions. How, then, can any one pretend to fear lest when order, prosperity, and liberty are restored, and develop all these magnificent natural resources, it should not be possible to levy one hundred and fifty millions taxes?"

Have no fears, gentlemen; the impulse given by the emperor Maximilian will insure the lasting prosperity of the finances of the Mexican empire, and give undoubted securities to those who shall lend it their money. [Approbation.] There can besides, in this case, be no direct or moral responsibility attaching to the French government. France does not interfere, and gives no direct or indirect guarantee on the question of the Mexican loan. We inform public opinion of facts which we believe to be true. We publish them in full, and in all sincerity, and it is for the public to judge. [Approbation.]

Mr. JULES LE FAVRE. What means of verification has the public?

THE SECRETARY OF STATE. The Hon. Mr. Jules Favre asks me what means of verification the public possesses? I will tell him. These means are the capitalists who will give their money, and who know their own interests full as well as you do——

SEVERAL VOICES. They know it much better.

THE SECRETARY OF STATE——who do not risk their money in operations which they consider unsafe; who examine, question, inquire, hunt up information, and have all the legitimate caution of capital which dislikes ventures and risks. [Adhesion.]

M. ERNEST PICARD. The subscribers to the first loan have already lost twenty per cent., and now you talk of a second. [Interruption.]

THE PRESIDENT. I beg the Hon. M. Picard not to interrupt the speaker. He has expressed in the house many ideas which certainly conflicted with the views of large numbers of his colleagues.

SEVERAL VOICES. Yes, yes.

THE PRESIDENT. It was then his right; now it is his duty to listen to contradiction. [Approbation.]

THE SECRETARY OF STATE. You are concerned about the future loan; and certainly, if the money-holders who to-morrow shall read your speech believe in your assertions, they will be in no hurry to advance their money; and if they sought your legal advice, you would counsel them against it. [Laughter.]

Well, I want to quiet your fears—to restore your confidence; do not worry; the loan is subscribed. At this moment, while I am speaking, it is signed by the most important firms in France and England. [Applause.] I received the news as I was entering the house. This mistrust, these criticisms against the most vital interests of the country, coming from unknown sources, and seeking to sow disquietude and fears, will not be listened to, and it is what they deserve. [Renewed applause.]

We must then lay by all the allegations laboriously collected and brought forward by M. Picard. The question has been analyzed and studied by those who have the most direct interest in it; and they have decided to put their money into the undertaking.

Gentlemen, there is a reproach which has touched me more deeply, both as a man and as a representative of the government. The house has been told that statements made to the corps legislatif, that engagements entered into, had been disregarded and broken. It has been claimed that we promised last year to end the expedition in 1864, and to bring back all our troops to France. The convention of Miramar has been distorted to find in it I know not what contradictions between its stipulations and those made in January. Is this the first time this convention is brought to the notice of the house? Has it not been discussed here? After the 10th of April, when it was concluded, was it not discussed, criticised, and examined by all the members of the corps legislatif? Has not every point in it been fully and freely canvassed? Who, then, maintains that that convention contradicted the declarations of government? What did we say in January, 1864? "Government had declared that it would not guarantee the loan which the emperor of Mexico was wishing to contract;" and also that the French troops would not remain an indefinite time in the service of the Mexican government; that the length of their stay in Mexico would be regulated by the requirements of the interests which had called us there and which we were to defend.

In January we simply expressed a wish with regard to the return to France of part of our

troops. It is only in May that we went further, and named the number; we said we thought it possible we might recall as many as 10,000 men.

Such is the engagement we had taken, and the budget recently gave it the fullest confirmation. You can examine the figures which were submitted to you, and you will find a very large reduction in the expenses resulting from the reduction of our army in Mexico.

Troops have returned. It is true that up to January, 1865, they numbered but 7,000 to 8,000 men, Marshal Bazaine having retained a regiment of zouaves for his operations against Oajaca. But two days ago we received from Marshal Bazaine information that this regiment was on the point of embarking for France; and, as became an intelligent statesman, and a general desirous of fulfilling the promises made by his government—

"I hope to fulfil the engagement taken by the secretary of state towards the corps legislatif. I shall be the faithful guardian of the promises he has made. My efforts in rapidly carrying our arms to the various parts of the territory north and south of the Mexican empire were but the means to hasten the moment of our departure, and of realizing the hopes conceived in, and the promises made to, the corps legislatif." [Approbation.] Any talk about breach of promises, engagements set at naught, is, therefore, the result of a profound error, and this discussion can only leave the regret that there should be persons so ready to doubt the word of a loyal government and the promises it makes to a house which it respects. [Approbation.]

But there is a black spot on our horizon. Some point to it and show it to us. They do not appeal to our fears, but they give us the friendly advice of hastening the return of our troops if we wish to escape the attack of the United States.

Gentlemen, this question cannot be permitted to remain hidden in the semi-obscurity where it was left by the Hon. M. Picard, who in this followed the example of the Hon. Jules Favre. We must fathom the question; we must know what the danger is with which we are threatened. If it is a serious danger we should discuss and encounter it like men; if it is not, we should learn to despise it. [Approbation.]

What events, then, gentlemen, can, in the United States, have reversed the very reassuring declarations I read to you last year from this same tribune? What has happened to justify these fears and anxiety?

I know that around that Mexican question swarm intrigues of which, every day, I discover some threads. I know that from the Mexican provinces bordering on the United States there come every day encouragements to an impracticable plan of a war between the American republic and Mexico. I know that these intrigues are felt over in Europe, and even in France.

A fortnight ago I read in a foreign journal a most frightful description of our position in Mexico; and I found the same article published simultaneously in fifteen newspapers in various parts of Europe. There is evidently somewhere—I do not know where, and I accuse no one—a centre whence people try to encourage bad feelings, and to propagate erroneous appreciations of our Mexican expedition.

Is this anything new to you? Did not some of you yesterday hand me something claiming to be a proclamation of Juarez, and coming not from his actual residence in Mexico, but from Florence, [laughter,] and distributed on the eve of the discussion to all the members of the corps legislatif? [Renewed laughter.]

I should not have mentioned these incidents had not M. Picard seen fit to take hold of that anonymous document, unsigned, which has not even the merit of being written in French, and which he represents as a protest of the French subscribers to the Mexican loan. What does he know about it? What guarantee can he give concerning that work—its authorship, its origin, its aim? And if he can give us none, why did he give it the honor of publicity before the corps legislatif?

M. E. PICARD. I merely took from that book a few questions which it propounded.

THE SECRETARY OF STATE. Gentlemen, what occurred in America resembles very much what is going on in France with regard to the Mexican question. The press propagated the rumor that the French government wanted to make a colony of Sonora and Chihuahua, two provinces almost as large as France, and to work the mines which abound there. Hence a great uproar in America. What! said they, will France, not satisfied with obtaining redress for her grievances, and aiding in establishing in Mexico the imperial government of Archduke Maximilian, attempt now to establish a colony in provinces which border on our own country? This requires looking sharply after.

Next came other accusations. They said in America that we wanted to violate the promised neutrality; we had given to southern ships-of-war privileges which we refused to northern vessels; our intention was not only to violate our neutrality on small points, but even to interfere by force in the conflict between north and south. All this has been published in America. Yes, we were going to interfere in this terrible war, and on the side of the south.

This created some excitement. In answer to this supposed threat of intervention we were threatened in turn with intervention in Mexico. To justify such a proceeding the Monroe doctrine was quoted. They said that when peace was made with the south it would then be the proper time to attack the Mexican empire. What did all this excitement lead to? To two incidents in the House of Representatives and in the Senate at Washington. The orator who last year presented a resolution relating to Mexico repeated his motion. It was at first rejected, then adopted two days afterwards. This resolution had no direct bearing on the Mexican question.

Its object was to contradict the opinion of Mr. Seward and President Lincoln, and to assert the right of the House to exercise a direct influence on diplomatic negotiations, a right denied them in the despatch which was read to you last year.

In the Senate, a member of the committee appointed to report on the budget proposed, considering that the Mexican empire has not been recognized by the United States, to substitute the words, "Legation of the United States in the republic of Mexico," in the place of "Legation of the United States in Mexico."

Such are the two events which have taken place in Mexico. Do you consider them very ominous? Afterwards, when some prospects of peace became apparent, the Monroe doctrine was brought out as a cloak for the attempt, and it was claimed that reconciliation would facilitate the carrying out of the doctrine.

But these hopes were disappointed, and these trifling incidents were forgotten among the preoccupations of war. You are doubtless aware that that war is still being carried on with painful activity. Yesterday's paper gave you the news of a frightful conflict between the armies of Grant and Lee.

And has the government of the United States been in any way affected by these mendacious rumors? Have we been asked to justify ourselves? And would it not have been easy for us to have done so? What had we done? We had conceded to the south belligerent rights! But how could we have done otherwise? Were we not obliged through this prolonged war to insure in so doing the rights of our maritime commerce and the neutrality of our position?

Have we gone beyond this necessary step in our diplomatic policy? Have we a representative at Richmond? Has the government at Richmond an official representative at Paris? Has not the French government continued to be officially represented at Washington? Our conceding belligerent rights to the south could not therefore constitute a serious cause for complaint. Have we then violated the rules of neutrality? Never did a government take greater pains than ours did to respect the principles and to observe the international regulations on this point.

The causes of our conduct were evident, and allowed of no misunderstanding.

Finally had we to justify ourselves in the eyes of the United States of that strange idea of founding a colony in Sonora.

Gentlemen, this slanderous rumor soon died of its own accord, as it had no serious foundation. Hence, explanations took place—despatches passed between the two governments. What was the result?

On the 15th of December, 1864, the President of the United States declared in his annual message that he intended remaining strictly neutral in the Mexican question; and in March last in his re-election message he invited all nations to peace and concord.

Finally, when his representative at Paris communicated with the minister of foreign affairs, he gave his most loyal and satisfactory explanations. He discarded all these misapprehensions, all these fears of a conflict between the United States and France, as based upon a misunderstanding. He was able to say, you are accused of a desire of interfering in our affairs; this excited the ire of the American press. America is a wise and thoughtful nation; the loyal conduct of France will regulate their conduct in return. Who can entertain any doubt about our course? Have we not from the very beginning of the war declared our firm intention of remaining neutral? [Approbation.]

Thus when I look closely at the facts as they are to be looked at, in order to destroy those rumors which we meet with outside, and with which some attempt to create trouble for the imperial government, I can find in them nothing of any importance.

If I should venture further; if, instead of studying only the facts, I were to inquire into the doctrines and interests which are brought into play. then also would I find no cause to attach any importance to this chance of a conflict. I do not speak of the pretended guarantee which some claim to find in an indefinite extension of the war between the south and north. I look upon such a hope as impious. [Approbation.] The wish of the imperial government is that this war, which is injurious to the interests of all countries, may speedily come to an end. [Strong and general approbation.] It expresses no opinion as to the manner in which it wishes the conflict to terminate. It has no right to, for it respects the independence of the American people. But its most ardent wishes are for concord, and the day when peace shall be made will be for France, the old ally—and permit me to use this expression, the sponsor of the United States—a day of joy and happiness. [Loud approbation.]

Let us, then, not wish to see this terrible war prolonged for the sake of postponing a conflict about Mexico. Have the United States any interest in entering into such a conflict?

We have been told in the early part of this debate that the United States once took Mexico and held it. They hastened to let it go upon its paying the expenses of the war. They would have us believe that the United States would have an interest in attaching the Mexican provinces. The contrary is the truth. What is the aim of the United States? The restoration of the Union in its former strength, in its original condition of grandeur and prosperity, and free from slavery. Well, then, let us for a moment forget that our flag waves in Mexico, that our forces protect its frontiers; would the United States have an interest in annexing it? No, certainly, for it would be strengthening the south. Do you not see that Mexico, belonging to the United States, would be a standing threat of separation?

The interest of the United States is to cultivate friendly relations with Mexico, by means of trade and commerce. This is their true means of action and of conquest; the way is open to them, and it can but do good to all. [Approbation.]

I do not insist on what has been said of possible inroads by filibusters landing on the Mexican coasts. The Hon. Mr. Corta has disposed of that question; he has reminded you that there are some four to five hundred leagues from Matamoras and the frontiers of the United States to Mexico; that no vessel could be found sufficient to carry any number of troops to any point of the Gulf of Mexico or of the Pacific coast. Such expeditions have always proved fatal to their authors; there is no occasion to fear them, and they could have no result.

This phantom, then, has ceased to exist. There is no reason that we can see for France and the United States ceasing to be at peace; these two powers will remain allies, remembering their old friendship, as well as the interests and sympathies which unite them. [Marked approbation.]

And now, gentlemen, let us examine the amendment. How is it worded?

"We deplore more than ever the blood flowing in Mexico for the benefit of a foreign prince, the disregard of popular sovereignty, and our policy committed to an erroneous course.

"We expect our troops to be recalled in accordance with the declarations of the government."

Such are the views of the opposition.

It certainly would require great courage for the majority to inflict on the government such unjust reproaches as those contained in your amendment. [Approbation.]

What! Must I plead here again a cause so often heard and decided? Must I recall the reasons which led to the Mexican expedition? [No, no; it is useless.] Must I repeat, gentlemen, that you have decided over and over again that the cause which took us to those far-off shores was just? Shall I have to vindicate the extreme prudence of the convention of 1861 between the three powers bent on avenging the insults of their citizens? Is there not in the fact of this union of three great powers uniting in the convention of 1861 a most complete and energetic answer to your painful amendment? Do you believe England and Spain would have signed that convention with France had it contemplated a violation of national sovereignty? There is neither reason nor truth in all this. And I may add, while I am about it, that when you are told that the convention was not first submitted to the "corps legislatif," the same might be said of England and Spain, two constitutional countries, two parliamentary governments such as some orators in this house like them.

The convention of 1861 was not submitted first to the parliaments of either England or Spain, for such things are done even in parliamentary governments.

We are told, gentlemen, that we can now make a treaty with the imperial government of Mexico; that if we had some ground for refusing last year to make a treaty with Juarez or Almonte, we are now in the presence of a regular government, and can make one with the emperor of Mexico.

What sort of a treaty do you wish us to make? What treaty could we make with Mexico? Have we not made the treaty of Miramar? Does it not exactly define our position? Have not our debts been liquidated? Have not the rights of our injured fellow-citizens been defined and guaranteed? What treaty are you talking about?

I really did not expect that the Hon. Mr. Picard would, for the sake of his arguments, revive that unfortunate advice formerly rejected. What! Do you need to remind the house of your proposition to withdraw the troops from Mexico, made immediately after the repulse at Puebla? Have you forgotten the feelings of indignation and the murmurs which that proposition excited? [Approbation.] Have you forgotten how the "corps legislatif" disposed of that proposition last year of treating with Juarez or Almonte, and how it was ridiculed by the public? [Approbation.] No, there is nothing serious in all you say to us.

The truth is that we have accomplished a great undertaking in Mexico; that, legitimately called upon to avenge our wrongs in that extensive country, we have established in it order, civilization, and liberty; [approbation;] that we have driven out anarchy and civil war; and that in a few years that country shall bless France, and contribute to the development of its commerce and grandeur.

That our troops should remain a few months longer in Mexico; that they should not return at the precise time appointed by you, as well as by Juarez also, what matters it indeed? I am fully aware that, encouraged by reports from France, Juarez writes, "I shall weary them out and make the troops return to France; France desires it." He believes it! Well, let him know that he is mistaking the opposition of France. [Ironical laughter on many benches. Approbation.]

M. Jules Favre. You are insulting the opposition.

M. Ernest Picard. You are getting violent; so you must be wrong. [Exclamations and murmurs.]

The Secretary of State. I was not aware of being violent. [Laughter and approbation.] If to be violent is to be wrong, the opposition are in very great danger of being condemned by their own showing. [Approbation.]

Yes, gentlemen, [the speaker faces the left,] you are more violent than ever we shall be in

the name of the government; but you have an excuse, and I will tell you what that excuse is. Do you know why you have sometimes allowed yourselves to be violent? It is because you have neither legitimate grievances nor reasonable hopes. [Lively approbation.] If you had serious grievances public opinion would be on your side, and it is not. [Approbation, murmurs, interruptions.]

M. JULES FAVRE. We have polled 180,000 votes in Paris. Try and get your candidates elected there.

M. CHEVANDIER DE VALDBROME. Paris is not France. [Rumor.]

M. BELMONTEL. The Emperor has had eight million votes. [Messrs. Picard and Jules Favre speak, but the noise does not permit us to hear what they say.]

M. EUGENE PELLETAN. If public opinion is with you, give us the freedom of the press. [Various exclamations. General noise.]

THE PRESIDENT. You would prevent our doing so by your attacks.

M. E. PICARD. We ask the government always to appeal only to public opinion. [Continued noise.]

THE PRESIDENT. I invite the house to observe silence and abstain from interruptions. The secretary of state has the floor, and I shall call to order any one who shall again interrupt him.

THE SECRETARY OF STATE. Gentlemen, if I went a little too far in what I said, the opposition has sought to cover my responsibility. [Laughter and approbation.] You see how zealously they interrupt me. [Approbation.]

But we must close this debate. [Yes, yes!] Well, I have said, and I repeat, that the French expedition to Mexico was a great thing; that by that expedition France has opened to civilization an extensive country. Let her flag remain there a few months longer to overcome the last obstacles to destroy those banditti—the scum of revolutions. What matters a few months more? The end must be gained, the pacification complete. The dignity of France and that of the Emperor both require it. The French army must return to our shores only when its work shall be accomplished, and all the resistance it met with overcome. [Approbation and applause.]

From all sides: The vote! the vote!

THE PRESIDENT. The vote on the amendment will be taken.

M. MAGUIN. Mr. President, there is a demand for a ballot.

THE PRESIDENT. A demand for a ballot has been handed to me signed by Messrs. Jules Favre, Garnier Pages, Maguin, Marié, Dorian, J. Semen, Carnot, Ernest Picard, Glais Bizoin, and Eugene Pelletan. In consequence, the vote on the amendment shall be taken by ballot.

The ballot is taken and the result is as follows:

Number of votes, 241; majority, 121. For the amendment, 16; against, 225.

The corps legislatif does not accept the amendment.

[Enclosure No. 2 to despatch No. 75.]

CORPS LEGISLATIF.

Session of Saturday, April 15, 1865.—*Debate on the amendment of the* 19*th paragraph of the address.*

[Translated from the Moniteur, April 16, 1865.]

PRESIDENT SCHNEIDER. Messrs. Bethmont, Carnot, Dorian, Jules Favre, Garnier Pages, Glais Bizoin, Gueroult, Havin, Herron, Lanjuinais, J. Maguin, Marié, E. Pelletan, E. Picard, Jules Simons, move that at the conclusion of the nineteenth paragraph these additional words be appended:

"We have declared from the commencement [of the war?] our sympathies for the United States of America. Thanks to their heroic efforts, slavery is abolished.

"We shall rejoice to witness the re-establishment of the powerful republic of the United States, the natural ally of France, and we shall hail with joy a triumph which has cost nothing to the cause of liberty."

Mr. Pelletan has the floor to develop this amendment.

Mr. E. PELLETAN. I do not desire either for the Chamber or for myself to prolong the debate, not even to pronounce an oration *in extremis* at the death-bed of our last amendment, for I suppose it will have no happier fate than its predecessors. [Noise to the vote.] I have but a word to say upon this emendation, the object of which is to make reparation for an omission. In fact, no allusion to North America is made in the address from the Crown, nor in the draught of our address, (projet d'adresse,) nor even in the "Levie Jaune," which contains but a blank page for what concerns America.

Now, the American question is sufficiently important to be treated with less reserve; besides, at the present time, all discussion is useless, for at this very moment while I am speak-

ing the victorious sound of Grant and of Sherman has decided the question. Richmond taken. The slaveholding rebellion is stricken to the earth, and the American republic is re instated in its majestic unity. [Noise.] Do not laugh, gentlemen; you may be heard on the other side of the Atlantic. [Renewed noise.] For four years the United States of America have borne the weight of civil war, and never for an instant during the whole of this grievous ordeal have they entertained an idea of suspending the liberties of the people; never have they opened the door of arbitrary power through which crime so often finds a passage. [Votes! votes!] The executive authority has been allowed to protect itself by legality under the fire of the enemy. This page of American history is the most illustrious page of the nineteenth century.

President Lincoln has been fully aware that he held the destinies of the New World in his hands, and he has shown himself equal to the emergency; he has abolished slavery, and he has founded a second time the glorious American republic.

NUMEROUS VOICES: The votes! the votes!

Mr. ERNEST PELLETAN. It seems to me that wherever anything great and admirable is done, there ought France to be present. For this reason I desire to send our heartfelt felicitations to the other side of the ocean.

The amendment was rejected—195 votes against it, and 24 for it, out of 219 voting.

Mr. Bigelow to Mr. Seward.

[With six enclosures.]

No. 77.] LEGATION OF THE UNITED STATES,
Paris, April 18, 1865.

SIR: The momentous news of Lee's flight from Richmond has just reached us. We are trying to be grateful, as we should be, for such a signal discomfiture of the enemies of civilization. We are prepared to exclaim with the prophet, "Behold! the Lord's hand is not shortened that it cannot save, neither His ear heavy that it cannot hear." That some ear has heard and some hand has saved is the universal feeling here, even among those who were most anxious for a different result. It is now generally conceded by the European press of every political persuasion that the rebels have about reached the point where they should be handed over to the police.

I enclose translations from some of the public journals published the day after the news reached Paris, by which you will see how conclusive upon the question of a disunion of our republic the discomfiture and flight of Lee was regarded.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[Enclosure No. 1.]

[Translated from L'Opinion Nationale, April 16, 1865.]

Richmond is fallen. After a bloody battle of no less than three days' duration Grant has taken possession of the capital of the slaveholding States, and Lee is routed.

Forty thousand men killed, wounded, or taken prisoners! This enormous loss falls as a death-blow upon the secessionists, who, before this final check, had already drained all their resources, and found no prospect of being able to continue the war, unless by arming the blacks.

The south loses, moreover, along with Richmond, all that it yet retained of prestige or moral influence. It has no longer a centre around which to rally. Its government has become a wanderer. Born of the rebellion, it will die on a battle-field.

The fall of the south is for us—and we proclaim it loudly—a great, an immense source of joy and of gratification. Blood will cease to flow, the Union is restored, and America, which the folly of the secessionists threatened to lead into the tyrannical and ruinous system of standing armies like those of Europe—America, whom secession might have brought to be ruled by the sword—America will continue to flourish in liberty, and to give to the Old World an example which it cannot long continue to disregard or reject.

Another cause, also, a cause dear to civilization, to justice, and to humanity, triumphs with the north—it is the cause of abolitionism. The colored race may rejoice now. Its fetters are forever broken. The African is a freeman in the free republic of the United States; and in resuming his place as a man, he insures the same privilege—no, the same indemnity—to his brethren in Brazil, in Cuba, and Porto Rico.

Let us, then, return a fitting homage of praise and thanksgiving to the men who in the New World so well deserve the thanks of humanity, progress, and liberty; to President Lincoln, who has advanced so firmly on the difficult road which duty pointed out to him; to Mr. Seward, who, in these difficult circumstances, in the midst of serious and ceaselessly recurring complications, has succeeded in keeping his country from the dangers of a foreign war; to General Grant, who has so ably directed the military operations; and to General Sherman, who, in his wonderful expeditions, evinced still more the daring of genius than the genius of daring.

We can now rest assured that peace shall soon reign from the frontiers of British America to the Gulf of Mexico. But other horizons are unfolding before us at the same time. Shall the United States manage to keep on good terms with the two great powers of western Europe?

We hope so; and, in the despatch which we publish, we see that Mr. Seward has declared the firm intention of the cabinet to uphold the doctrine of non-intervention, and to abstain from any attack on the English possessions.

Is it by forgetfulness that the despatch omits mentioning Mexico by the side of Canada?

[Enclosure No. 2.]

[Translated from Le Constitutionnel, April 16, 1865.]

The confederates have just met with a loss which may appear irreparable. After three days of hotly-contested struggle, Richmond (their capital) and Petersburg have been occupied by the federal troops. General Lee has retreated in the direction of Lynchburg, closely followed by General Grant, who expected to be able to overtake him and to disperse the remainder of his army. This may appear an easy task, if it be true, as stated by correspondents, that the confederates had lost 15,000 men killed or wounded, 25,000 prisoners, and 100 to 200 cannon.

The despatches bringing this important news state that it excited great enthusiasm throughout the north. It would seem, indeed, to herald the close of the war, and the final triumph of the United States.

But it will not be sufficient for them to have conquered; the most important point will be for them to make a moderate use of their victory, and to pursue not only at home, but abroad also, a conciliating and moderate policy.

In this respect, the speech made by Mr. Seward, at Washington, gives us a comforting pledge of the intention of the government of the United States. The honorable Secretary of State declared that, if the people approved of it, the President intended, after the end of this war, to follow a policy of non-intervention. He added, that if England would only give evidence of fairness and justice towards the United States, nothing would be attempted against Canada.

This puts an end to those apprehensions which some sought to propagate concerning the possible consequences of the war in America coming to an end. The United States will attend to their own affairs without wishing to interfere in any way with those of neighboring nations. After all the losses they have to make up, it must be admitted that this is the only wise, practical policy, the only one which is in accordance with their true interests.

[Enclosure No. 3.]

[Translated from Le Temps, April 16, 1865.]

The decisive news from the United States, which we publish to-day, marks one of the most important eras in the nineteenth century, and in history in general. It is impossible to overrate its importance. It is not only the probable and speedy end of a war whose duration and severity afflicted humanity, and of which Europe so sorely felt the consequences; it is not only the fortunate, though dearly bought, abolition of slavery; it is a victory of inestimable importance for the liberal interests of the whole world.

We may testify of ourselves that never, not even in the darkest times, did we entertain any doubt of the final result. Not only (admitting the perseverance and readiness to make sacrifices to have been equal on both sides) were the resources of the north far superior, and almost inexhaustible, but the faith we have in the destinies of humanity warned us that Washington's work should not perish, and that the great American republic would pass tri-

umphantly through this ordeal. The trial was deserved, for they had tolerated slavery; but if history has any meaning, if it records anything beyond the action of blind forces, they were to come out of it victors. God forbid that we should insult the fallen! They defended heroically, with might and main, a cause which they believed to be just. But they were wrong. They had departed from the path of justice. We should respect their misfortune; we should have compassion on it; but we must also rejoice over their defeat, for their victory would have been a misfortune to humanity.

The United States shall emerge from this crisis, not weakened and diminished, but invigorated and strengthened; with a public debt which they had not before, but which they will carry easily, and with a new consciousness of their might and power. They have with the utmost ease expended an amount of force, and we may even add committed a waste of resources, such as we find no example of in history. They have pursued the avocations of peace while carrying on a terrible war. Their institutions, represented as so weak, have stood the test, and they have succeeded in finding great and successful generals who saved the country without touching on its liberty. Slavery is dead; the republic still standing; and civil war, instead of being the death-blow of liberty, has but promoted and strengthened it. Such results are a novelty in history, and great and happy is the nation which first produced them.

A. NEFFTZER.

[Enclosure No. 4.—Extract.]

[Translated from the Moniteur du Soir, April 16, 1865.]

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After this bloody battle, which lasted three days, from the 1st to the 3d of April, Lee retreated to the southwest, in the direction of Lynchburg. Grant immediately put himself in pursuit of the confederate army, and his last despatches announce his hope of overtaking him before he has time to reorganize.

Richmond is in flames, Grant having prepared to destroy this city in order to pursue Lee, without fear of anything in his rear.

[Enclosure No. 5.]

[Translated from the Epoque, April 16, 1865.]

The interest of all other foreign news pales to-day before the great news we receive from America. General Grant has taken Richmond and Petersburg, after three days of fighting. We had long foreseen and predicted this result, but the success of the federal arms appear to have been still more brilliant and complete than could be expected. The confederate capital is wrapped in flames—kindled by its late defenders, perhaps. Half of the southern army are prisoners of war or destroyed. The remainder are with difficulty retiring, pursued without cease by the victors. It is a wonder if they escape from the overwhelming forces which surround them. Any desperate effort they might yet make would be useless. Their only resource is to disperse.

There is no longer any southern army, any southern confederacy; there is only peace in prospect—necessary, forced, inevitable peace. This is not the time when we should attempt to analyze the results of this triumph of the Union. It is sufficient to foresee them. We know what war produces; who can tell what peace will bring forth?

A. CLANEAU.

[Enclosure No. 6.—Extracts.]

[Translated from Le Pays, April 16, 1865.]

The news from New York, via Crookhaven, confirms our previsions. A bloody encounter has taken place between the armies of the north and south. After three days of a frightful struggle the federal troops have taken possession of Richmond and Petersburg. It was on Monday, the 3d of April, that the federals entered the capital of the Confederate States, which they found in flames.

The battle which compelled Lee to evacuate Richmond must have been hotly contested, for some correspondents estimate that general's loss at 15,000 men, killed or wounded, 25,000 prisoners, and 100 to 200 cannons; that of the federals is estimated at 7,000 men killed or wounded.

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We may consider this as ending one of the longest and most bloody periods of the American war. Yet we must not, from the results obtained, conclude that the struggle is at an end, and that the south is going to lay down its arms.

The energy of its resistance, the perseverance it has shown in defending its independence, the certainty it has acquired that it can only obtain peace by submitting to hard conditions—all these considerations will certainly maintain the secessionists in arms. The aspect only of the war shall be changed: it will be a guerilla warfare—terrible, merciless, and of which it is at present impossible to foresee the end.

In a speech he made at Washington, Mr. Seward said that, if the people approved of it, the government would, after the end of the war, pursue a policy of non-intervention. If England acts fairly towards the United States, added the Secretary of State, Canada shall not be disturbed. This promise of non-intervention seems to indicate that the government at Washington is not fully confident in the future.

L. CHAUVET.

Mr. Hunter to Mr. Bigelow.

No. 115.] DEPARTMENT OF STATE,
Washington, April 20, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 4th instant, No. 67, including copies of certain documents which you have received from Mr. Wood, our minister at Copenhagen, relative to the delivery of the steamer Stonewall, alias Olinde, to officers of the insurgent navy.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Bigelow.

No. 121.] DEPARTMENT OF STATE,
Washington, April 24, 1865.

SIR: Your despatch of the 7th instant, No. 68, together with its enclosure, upon the subject of certain reports, to the effect that a negotiation was in progress in Canada for the purpose of making peace between the United States and the insurgents, has been received. The information concerning the condition of the insurgent government, and the situation of their affairs, which it is presumed will have reached you ere this, cannot but make you aware of the falsity of the allegation.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Bigelow.

DEPARTMENT OF STATE,
Washington, April 27, 1865.

MY DEAR SIR: You are already aware of the causes which devolve upon me the duty of acknowledging the receipt of your very interesting private letter of the 7th instant to Mr. Seward, and of its two accompaniments.

I am happy to inform you that the Secretary has been able to ride out yesterday and to-day, and it is quite probable that in the course of a fortnight he will be able to a certain extent to attend to business. Mr. F. W. Seward is reported by his physicians as in a condition to inspire good hopes of his ultimate recovery, though the process must of course, from the nature of his injuries, be slow.

I remain, my dear sir, very faithfully yours,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 86.] LEGATION OF THE UNITED STATES,
Paris, April 28, 1865.

SIR: An aide-de-camp of the Emperor called early yesterday morning at the legation, officially to testify the horror and sorrow which his Majesty experienced on learning the crime which had just deprived the United States of its President. On the receipt of the first report, his Majesty had refused to credit it, but a second despatch later in the evening left no room to doubt its correctness. It was then too late to send to the legation, but the aide-de-camp was instructed to come at an early hour the next morning to express the sentiments of his Majesty, and to request, on behalf of the Emperor, that I would transmit an expression of them to the Vice-President.

It is my duty to add my conviction that his Majesty, in the communication which he has requested me to make, is but a faithful interpreter of the sentiments of his subjects, who have received the intelligence with a unanimous expression of horror for the crime and of sympathy for its victims.

You will find some of the evidence of this in the journals which I send you.

I have been occupied most of the afternoon in receiving deputations from students and others, who have called to testify their sorrow and sympathy. Unfortunately, their feelings were so demonstrative in some instances as to provoke the intervention of the police, who would only allow them in very limited numbers through the streets. One of the delegations told me that there were three thousand of them who would have wished to have united in a formal expression of their feelings, if the police had not stopped them. I am sorry to hear that some have been sent to prison in consequence of an intemperate expression of their feelings. I can now count sixteen policemen from my window patrolling about in the neighborhood, who occasionally stop persons calling to see me, and in some instances, I am told, send them away.

I had no idea that Mr. Lincoln had such a hold upon the heart of the young gentlemen of France, or that his loss would be so properly appreciated.

I have received many letters of condolence already from distinguished citizens, of which I send copies of two; the first from his excellency Drouyn de Lhuys, and the second from his imperial highness Prince Pierre Napoleon Bonaparte. (See enclosures No. 1 and No. 2.)

I must reserve for another mail the expression of my own feelings under a dispensation which has almost paralyzed me, and which yet seems to me like the revelations of a troubled dream. I hope this may find you recovering from your wounds, and mercifully sustained under the great trials with which God has been pleased to visit you and yours.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[Enclosure No. 1.—Translation.]

PARIS, *April* 26, 1865.

SIR: The telegrams published in the evening papers inform me of the horrible crime of which Messrs. Lincoln and Seward have been the victims. I would not delay a moment longer to express to you our profound sympathy.

Yours, very sincerely,

DROUYN DE LHUYS.

Monsieur BIGELOW,
Minister of the United States, Paris.

[Enclosure No. 2.—Translation.]

PARIS, *April* 26, 1865.

SIR: I believe I am fulfilling a duty, but a very painful one, in begging you to accept the expression of the profound affliction I feel in hearing of the death of President Lincoln. The sympathy with which that great man has honored my father's memory, increases my profound regrets. These shall be shared by all noble hearts in all countries, and the glorious name of Lincoln, standing by the side of Washington, shall be the everlasting honor of your great republic.

With great respect and cordial fraternity, I have the honor to be, sir, your very obedient servant,

PIERRE NAPOLEON BONAPARTE.

Monsieur le MINISTRE.

Mr. Bigelow to Mr. Seward.

No. 87. LEGATION OF THE UNITED STATES,
Paris, May 3, 1865.

SIR: His excellency the minister of foreign affairs was kind enough, on Saturday last, the 29th of April, to read, and at the same time to hand me, a copy of a communication which he had made, by order of the Emperor, to the French minister at Washington in reference to our recent national bereavement. His excellency also informed me that it would be communicated to both of the legislative branches of the government on the Monday following. It would have been communicated on the day it was shown to me if the corps legislatif had been in session.

As I had been notified, his excellency Mr. Vuitry, minister president of the council of state, at the opening of the senate yesterday, and by order of the Emperor, read the despatch to which I have referred, and added that he hoped the members of the senate would unite in the sentiments which the Emperor had charged him to testify to them.

The president of the Senate, M. Troplong, replying in the name of the assembly to the commissioner of the government, declared that the senate shared entirely the views of the Emperor; that it had been struck with the same sorrow and even indignation when it heard of the attempt made upon the person of a citizen borne to the supreme power by the free choice of his country; that this sorrow could only be increased by the recollection of the noble sentiments of moderation and of conciliation manifested in the recent proclamation of President Lincoln.

The President Troplong then proposed, and the senate unanimously voted, its adhesion to the sentiments of the despatch to the French minister at Washington in the usual form.

The same communication was simultaneously submitted to the corps legislatif by his excellency Monsieur Rouher, minister of state, with a few impressive remarks. The Vice-President Schneider, interpreting the feelings of the assembly, expressed its horror at the crime which had been thus brought to their notice, and announced that the corps legislatif shared completely the sentiments of the government.

An account of the proceedings, as reported in the Moniteur this morning, will be found in the annexed enclosures Nos. 1 and 2.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[Enclosure No. 1.]

[Translated from the Moniteur of May 2, 1865.]

Communication from the government.

THE PRESIDENT. M. the minister resident of the council of state has the floor for the purpose of presenting a communication from the government. (The house becomes attentive.)

His excellency M. FECHTRY, minister resident of the council of state. Gentlemen of the Senate: In pursuance of the orders of the Emperor, I have the honor to communicate to the senate the despatch addressed on the 28th of April last by M. the minister of foreign affairs to M. the chargé d'affaires of France at Washington, on the occasion of the death of President Lincoln.

This despatch reads as follows:

PARIS, *April* 28, 1865.

SIR: The news of the crime of which M. le President Lincoln has fallen a victim has caused a profound sentiment of indignation in the imperial government.

His Majesty immediately charged one of his aides-de-camp to call upon the minister of the United States, to request him to transmit the expression of this sentiment to M. Johnson, now invested with the presidency. I myself desired, by the despatch which I addressed you under date of yesterday, to acquaint you without delay of the painful emotion which we have experienced, and it becomes my duty to-day, in conformity with the views of the Emperor to render a merited homage to the great citizen whose loss the United States now deplores.

Elevated to the Chief Magistracy of the republic by the suffrage of his country, M. Abraham Lincoln exhibited in the exercise of the power placed in his hands the most substantial qualities. In him firmness of character was allied with elevation of principle, and his vigorous soul never wavered before the redoubtable trials reserved for his government.

At the moment when an atrocious crime removed him from the mission which he fulfilled with a religious sentiment of duty, he was convinced that the triumph of his policy was definitively assured. His recent proclamations are stamped with the sentiments of moderation with which he was inspired in resolutely proceeding to the task of reorganizing the Union and consolidating peace. The supreme satisfaction of accomplishing this work has not been granted him; but in reviewing these testimonies of his exalted wisdom, as well as the examples of good sense, of courage, and of patriotism, which he has given, history will not hesitate to place him in the rank of citizens who have the most honored their country.

By order of the Emperor I transmit this despatch to M. the minister of state, who is charged communicate it to the senate and the corps legislatif. France will unanimously associate itself with the sentiments of his Majesty.

Receive, &c.,

DROUYN DE LHUYS.

M. DE GEOFFROY,
Chargé d'Affaires of France at Washington.

I do not think, gentlemen of the senate, that this communication needs any commentary. It explains itself. I trust the senate will share the feelings of which the despatch which I have had the honor of reading contains the ready expression. In uniting together to brand with reprobation a horrible crime, the Emperor, the great bodies of the state, and France in its totality, will give to the republic of the United States a fresh testimony of their sincere sympathy. [Loud approbation.]

THE PRESIDENT. Gentlemen, in acknowledging the communication just made by M. he minister, I beg the senate will permit me to express in its name a sentiment which, in its unanimity and energy, is equally felt by all. The senate felt a deep emotion at the news of the crime committed against the illustrious head of an allied nation. Mr. Lincoln, placed, since 1861, at the head of the American nation, had passed through the most afflicting trials that could befall a government founded on liberty. It was at the moment when victory presented itself, not as a signal of conquest, but as the means of reconciliation, that a crime still obscure in its causes destroyed the existence of that citizen placed so high by the choice of his countrymen. Mr. Lincoln fell at the moment when he thought he was on the point of arriving at the term of the misfortunes by which his country was afflicted, and when he indulged in the hope of seeing it soon reconstituted and flourishing. The senate, which has always deplored the civil war, detests still more that implacable hatred which is its fruit, and which disgraces politics by assassination. There can, therefore, be but one voice in this body, to join in the ideas expressed by order of the Emperor, in the name of a generous policy, and of humanity. [Approbation.]

I propose to the senate to decree that a copy of the minutes of the present sitting be officially transmitted to the minister of state. [Long and prolonged approbation.]

[Enclosure No. 2.]

[Translated from the Moniteur of May 2, 1865.]

CORPS LEGISLATIF—SITTING OF MONDAY, MAY 1.

PRESIDENT SCHNEIDER. M. the minister of state has the floor to transmit a communication from the government. [The assembly becomes very attentive and silent.]

His excellency M. ROUHER, minister of state. Gentlemen: An odious crime has plunged in mourning a people composed of our allies and friends. The news of that odious act has produced throughout the civilized world a sentiment of indignation and horror. [Assent.]

Mr. Abraham Lincoln had displayed, in the afflicting struggle which convulses his country, that calm firmness and that invincible energy which belong to strong minds, and are a necessary condition for the accomplishment of great duties. [Repeated assent.] After the victory he had shown himself generous, moderate, and conciliatory. [Hear, hear.] He was anxious to at once terminate the civil war, and restore to America, by means of peace, her splendor and prosperity. [Hear, hear.]

The first chastisement that Providence inflicts on crime is to render it powerless to retard the march of good. [Repeated assent.] The deep emotion and elevated sympathies which are being displayed in Europe will be received by the American people as a consolation and an encouragement. The work of appeasement commenced by a great citizen will be completed by the national will. [Hear, hear.] The Emperor's government has sent to Washington the expression of a legitimate homage to the memory of an illustrious statesman, torn from the government of the States by an execrable assassination.

By his Majesty's order I have the honor to communicate to the legislative body the despatch addressed by the minister of foreign affairs to our representative at Washington. It is thus worded:

(For the despatch see enclosure No. 1. The reading was frequently interrupted by expressions of approbation and by applause.)

This despatch, gentlemen, does not call for any comment. The Emperor, the public bodies, and France, from one end to the other, are unanimous in their sentiments of reprobation for a detestable crime, in their homage to a great political character, victim of the most criminal passions, and in their ardent wishes for the re-establishment of harmony and concord among the great and patriotic American nation. [Unanimous assent.]

PRESIDENT SCHNEIDER. Gentlemen, I wish to be the interpreter of your thoughts in publicly expressing the grief and indignation which we have all felt on learning the news of the bloody death of President Lincoln. That execrable crime has revolted all that is noble in the heart of France. Nowhere has more profound or more universal emotion been felt than in our country. We therefore heartily join in the sentiments and sympathies which have been manifested by the government. [Yes, yes.]

Having been called to the direction of public affairs at an ever-memorable crisis, Mr. Abraham Lincoln has always proved himself fully equal to his difficult mission. After having shown his immovable firmness in the struggle, he seemed, by the wisdom of his language and of his views, destined to bring about a fruitful and durable reconciliation between the sons of America. [Hear, hear.] His last acts worthily crown the life of an honest man and a good citizen. Let us hope that his spirit and his sentiments may survive him, and inspire the American people with pacific and generous resolutions. [Approbation.]

France has deplored the bloody struggles which have afflicted humanity and civilization. She ardently desires the re-establishment of peace in the midst of that great nation, her ally and her friend. [Hear, hear.]

May our prayers be heard, and may Providence put an end to these painful trials. [Unanimous approbation.]

The legislative body acknowledges the receipt of the communication just made to it by the government, and demands that an extract of the minutes of the sitting shall be officially addressed to the minister of state. [General marks of assent.]

Mr. Hunter to Mr. Bigelow.

No. 128.] DEPARTMENT OF STATE,
Washington, May 5, 1865.

SIR: Your very interesting despatch, of the 18th ultimo, in regard to the effect produced by the news of the flight of Lee and the fall of Petersburg and Richmond, and giving translations of the comments of the leading French journals upon the events, has been received.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Hunter to Mr. Bigelow.

No. 129.] DEPARTMENT OF STATE,
Washington, May 5, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 18th ultimo, No. 80, which is accompanied by a copy of a letter from Mr. Rice, United States consul at Spezzia, published in Galignani's Messenger, in defence of Commodore Craven's courage in the late affair with the ram Stonewall off the port of Lisbon. Mr. Seward's attention will be called to the subject.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 90.] LEGATION OF THE UNITED STATES,
Paris, May 10, 1865.

SIR: At my suggestion a meeting was held at this legation on Tuesday, the 2d instant, which appointed a committee of nine to prepare an address that should express the feelings inspired among them by the horrible crimes perpetrated at the seat of government on the night of the 14th of April.

On Tuesday, the 9th instant, the committee, at the legation and in the presence of a large concourse of our country people, presented me the address, which they had prepared in compliance with their instructions, and which was signed by several hundred Americans. That address, with the signatures attached thereto, and my reply, marked enclosures Nos. 1 and 2, are herewith transmitted. You will find, also, that the address and reply have been deemed worthy of the hospitality of the Moniteur of this morning, a grace which will probably insure their general circulation throughout France.

It would have been more satisfactory to our colony here, because more in accordance with our national usages, to have held a public meeting, in the exercises of which there could have been a more general participation; but, in view of the profound excitement produced throughout France by the events which would constitute the pretext for holding such a meeting, I did not think proper to give to such a demonstration any encouragement. A funeral service, conducted by the respective pastors, was held in both the American chapels here on different days, and both had an overflowing attendance.

The expressions of sympathy which reach me daily from every quarter are to me, as an American, of the most gratifying, I might indeed say of the most flattering, character. The press of the metropolis shows sufficiently how overwhelming is the public sentiment. Among innumerable written testimonials of sympathy, I have received some from public bodies and from groups of people which I propose to send you as soon as I have enough copying force liberated to prepare them.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[For enclosures see Appendix, separate volume.]

Mr. Bigelow to Mr. Seward.

No. 91.] LEGATION OF THE UNITED STATES,
Paris, May 11, 1865.

SIR: The news of Johnston's capitulation reached us yesterday. I felt that the propitious moment for which I had been waiting had arrived. I immediately prepared the communication of which enclosure No. 1 is a copy, and this afternoon placed it myself in the hands of the minister of foreign affairs. In delivering it to him, I said that I had resumed in that communication the substance of my part in several conversations with his excellency about our affairs, which recent news rendered it proper that I should submit to him in a more formal manner.

His excellency read the paper carefully through, and then proceeded to say that there were two distinct subjects presented in my communication—one relating to the past, and the second to the present and the future. As to the past, he said he did not see how France could have acted towards the United States otherwise than as she did on the breaking out of our rebellion; that it was impossible to treat as a mere local disorder the contest now drawing to a close in America, in which half the territory of the Union was in a state of rebellion—a contest which had lasted four years, which had arrayed large armies against each other, and which had presented every known condition of serious war. But while he was not prepared to condemn the past course of his government, he said he was prepared to admit that a very different question was presented from that which they had hitherto had occasion to consider; that the war seemed to be practically at an end; that there was no longer any considerable force in the field against the federal government, nor any apparent organization, such as are the usual conditions of war. Under these circumstances, he said he would deem it his duty to bring the subject of my communication to the attention of the Empress Regent and of the council without delay, and, after taking their directions, he would communicate with me more formally on the subject. He went on to say that he should lose no time in getting the future policy of the government on this question defined, adding with a smile, "I think the result will be satisfactory to you."

I then presented the military situation of the confederates a little in detail to show that Davis has no longer any army under his orders, and explained that the belligerent rights accorded to the confederates could no longer serve any purpose except to give a sort of license for the depredations of two or three of their vessels, which were now, if never before, pirates by definition.

His excellency gave me new assurances of his disposition to have a prompt decision upon the subject, and of his confidence that that decision would be satisfactory to me.

I think I am justified by the language and manner of Mr. Drouyn de Lhuys in expressing to you the belief that a withdrawal of all countenance of the confederates by France may be expected at an early day.

I am, sir, with great respect, your very obedient servant.

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[Enclosure No. 1.]

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, May 10, 1865.

SIR: Your excellency need not be reminded that during the progress of the civil strife which has afflicted my country for some four years past, the declaration of the imperial gov-

ernment of September, 1861, which conceded belligerent rights to the insurgents, has proved a source of serious political inconvenience and of no little popular irritation. Without discussing the original necessity or propriety of that step, in regard to which, as your excellency is aware, my government has never entertained but one opinion, I esteem it my duty to submit to your excellency whether that declaration has not ceased to serve any of the useful ends for which it may have been designed; whether the time has not come when it is unfriendly, on the part of France, to deny to the navy of the United States that hospitality which the French navy has always received in the ports of the United States, and whether the insurgents have not forfeited whatever right they ever pretended to have to the privileges of belligerents accorded them by the imperial government.

Your excellency must be already aware that the insurrectionary district of the United States has not a single port left open to the sea; it has no fixed seat for its pretended government; no coherent civil administration; no army that is not rapidly dissolving into fragments in consequence of repeated defeats. The only ships that assume to carry its flag were built in foreign lands; and from the day their keels were laid have never ventured to approach within hundreds of miles of the scene of the insurrection, while they have derived all their ability to rob and plunder our innocent commerce from the concession to them of belligerent privileges by powers which have repeatedly assured my government of their disposition to be neutral in the strife.

To show your excellency how difficult it must be to maintain friendly relations, however desirable, with powers which countenance this state of things, I invite your excellency's attention to a single aspect of this grievance which is officially authenticated.

Of the American merchant ships built and owned in the United States in 1858, 33, representing 12,684 tons capacity, were transferred to a British registry. The number of the same class similarly transferred in 1859 was 49, and their tonnage 21,308. The number in 1860 was 41, and their tonnage 13,683. In 1861 the number rose to 126, and the tonnage to 71,673. In 1862 the number reached 135, and their tonnage to 64,578. In 1863 the number was no less than 348, and their tonnage 252,379. In 1864 the number fell to 106, and the tonnage to 92,052.

It thus appears that from the beginning of our civil war until the first of January last the number of our merchant ships which assumed a British registry was 715, or thereabouts. I do not know what number of our merchant ships sought safety by acquiring other registry than that of Great Britain, and I have no occasion to indulge in conjectures upon the subject. The statement I have made is sufficient to illustrate the great disturbance and derangement of our commerce resulting necessarily and legitimately, not from our domestic strife, but from the intervention in it of piratical cruisers built in British ports and issuing from them to devastate our trade on the high seas, in violation of municipal laws, treaties, and the law of nations.

The government of France has concurred with that of Great Britain in attributing a belligerent character to these piratical vessels, whence they have derived, in a great degree, their capacity for mischief, and in so doing she has given countenance to a mode of warfare unexampled in modern times for its wanton destructiveness, and appalling, when contemplated as a precedent consecrated by such authorities for the future.

I beg now to ask your excellency whether France wishes to persist in recognizing the scattered fragments of the insurrectionary organization, now fleeing before our armies, as belligerents, or the two or three ships now preying upon our commerce, constructed and equipped in neutral territory, sailing under no national flag, and therefore pirates by the law of nations, as entitled to the same rights and hospitalities in the ports of this empire as vessels of war bearing the flag of the United States?

I would ask your excellency whether any possible advantage can result from this toleration of our enemies that will compensate for the irritation which must inevitably result from the continuance of a policy so prejudicial to our national interests, so irritating to our national pride, and so unfavorable to the culture of those friendly relations which my country-people have been educated to value very highly. If not, permit me to assure your excellency of my conviction that a more auspicious moment is not likely to occur than the present for France to withdraw every recognition, however qualified or conditional, which she may have made to any government or authority on the territory of the United States, save that which I have the honor to represent near his imperial Majesty. Permit me, also, to express the hope that your excellency will lend your powerful support to such a policy, involving, as it does, results about which neither of our countries can afford to be indifferent.

I have the honor to renew to your excellency assurances of the very high consideration with which I am your very obedient and very humble servant,

JOHN BIGELOW.

His Excellency Mr. DROUYN DE LHUYS,
Minister of Foreign Affairs, &c., &c., &c.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 92.] LEGATION OF THE UNITED STATES,
Paris, May 12, 1865.

SIR: * * * * * * * * *

The proclamations accompanying despatch No. 112* were transmitted to the minister of foreign affairs, with a despatch, of which enclosure No. 1 is a copy.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[Enclosure No. 1.]

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, May 4, 1865.

SIR: I have the honor to transmit herewith, to your excellency, a printed copy of three proclamations issued by the President of the United States on the 11th ultimo: one relating to the closing of certain ports of entry; another supplementary thereto, and relating to the port of Key West, Florida; and a third, relating to reciprocal hospitality to the vessels of foreign navies in the ports of the United States, and to vessels of the navy of the United States in foreign ports. Your excellency will perceive, by these proclamations, that it is believed that the time has arrived when the United States, whatever claim or pretence may have existed heretofore for denying them, are now entitled to claim the same friendly rights and hospitalities which they are willing to concede to the marine of all other nations.

I have the honor to renew to your excellency the assurances of my highest consideration, and remain your very humble and very obedient servant,

JOHN BIGELOW.

His Excellency Monsieur DROUYN DE LHUYS,
Minister of Foreign Affairs, &c., &c., &c.

Mr. Hunter to Mr. Bigelow.

No. 146.] DEPARTMENT OF STATE,
Washington, May 16, 1865.

SIR: I have to acknowledge the receipt of your despatch No. 86, and its enclosures, informing me of the unanimous expressions of sympathy which have emanated from the government and people of France with the victims of the horrible crime which deprived us of our President, and maliciously injured the Secretary and Assistant Secretary of State. I will thank you to convey to the Prince Napoleon Bonaparte, Mr. Drouyn de Lhuys, and others, the grateful acknowledgments of this government for the words of condolence which they have addressed to us in the hour of mourning. I am happy to be able to inform you of the improved health of Mr. Seward and his son Mr. Frederick.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

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*Same as accompaniments to instruction No. 1,350 to Mr. Adams.

Mr. Hunter to Mr. Bigelow.

No. 150.] DEPARTMENT OF STATE,
Washington, May 19, 1865.

SIR: Your despatch of the 3d instant, No. 87, announcing the proceedings of the minister of foreign affairs and of the French legislative bodies in regard to the assassination of President Lincoln, and transmitting translations of the report of proceedings of the legislative bodies, embracing the substance of the despatch to the chargé d'affaires of France here on the subject, has been received.

The Marquis de Montholon has promptly presented at this department the original of the despatch referred to, a reply to which will be made the occasion of a special communication; but I will take this occasion for saying that the earnestness and sincerity with which these branches of the French government have expressed their horror of the atrocious crime, their sympathy with the people of the United States, and their high tribute to the virtue and greatness of the illustrious dead, are regarded as honorable evidences of their justice and humanity, and of their friendly disposition towards this nation.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 96.] LIVERPOOL, *May* 19, 1865.

SIR: Just as I was leaving Paris last evening, on my way to this city, I received a note from Mr. Augusté Cochin, with an address to the President of the United States, of which enclosures Nos. 1 and 2 are copies.

This address, as you will observe, is the first public act of a body of gentlemen, all eminent as directors of public opinion in France, who have organized themselves under the title of "The French Committee of Emancipation," to correspond with societies founded in America, England, and elsewhere, for seconding the utter abolition of slavery, the education and assistance of the families of freedmen, and the publication of all information that relates to this great cause of humanity.

In acknowledging the receipt of this address I shall promise Mr. Cochin and his illustrious associates my cordial co-operation in their efforts to enable the world to share the benefits of our experience of slavery and of emancipation.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

[Enclosure No. 1.—Translation.]

Mr. Cochin to Mr. Bigelow.

PARIS, *May* 17, 1865.

DEAR SIR: I have the honor to send you, in the name of the "French Committee of Emancipation," an address which we beg you will communicate to the President of the United States.

You will remark that this committee is formed to follow and second, whether by testimonials of sympathy or by the agency of the press, the great social transformation which is taking place in your country. It is important that Europe be not badly informed about nor remain indifferent to the liberation of many thousands of slaves.

Our design, our ambition, is to publish, explain, all the details of this great moral victory by exposing facts to all the calumnies which the rancor of private interests temporarily compromised is able to invent. Such was our motive for organizing ourselves into a permanent committee.

Our first act has been to draught the address which I send to you. We shall endeavor to add to our numbers new members, especially from the press. I shall keep you advised of our efforts, and beg you will believe us all at your disposition.

I ask of you the prompt transmission of our address, an acknowledgment of its reception for the committee, and a communication of all documents that may appear from time to time of a nature to render our good wishes available.

I shall have the honor to see you again; but without waiting for the opportunity, I wish to congratulate you upon this discourse, so noble, so Christian, so useful, which you have pronounced, and which the Moniteur has reproduced.

Receive, dear sir, my very devoted respects.

A. COCHIN, 25 Rue St. Guillaume.

Mr. BIGELOW, *&c., &c., &c.*

It would be kind of you to give me confidentially a list of the principal public men of the United States to whom it would be well to send the address.

[Enclosure No. 2.—Translation.]

Address of the French Committee of Emancipation to the President of the United States, May, 1865.

PARIS, *May* 1, 1865.

A committee is formed in Paris, under the title of the French Committee of Emancipation, for the purpose of corresponding with the societies founded in America, England, and other countries, to aid the entire abolition of slavery, the education and assistance of the freed families, and the publication of all facts connected with that great cause of humanity.

The committee is provisionally composed of the Duke de Broglie, former president of the committee of 1843 for the abolition of slavery; Guizot, of the French Academy, honorary presidents; Laboulaye, of the institute, president; Augustin Cochin, of the institute, secretary; Audley, Prince de Broglie, of the French Academy; Leopold de Gaillard; Charles Gaumont, former member of the committee of 1848; Leon Lavedan, Henry Martin, Guillaume Monod, Count de Montalembert, of the French Academy; Henry Moreau, E. De Pressensé, H. Wallon, of the institute; Cornelis DeWitt.

The first act of this committee was the presentation of the following address:

To Andrew Johnson, President of the United States of America:

MR. PRESIDENT: The undersigned, faithful friends of the United States, sons of the French nation who fought for the independence of your nation, permit themselves to address to you the expression of the sentiments produced in their soul by the horrid crime that has placed in your hands the functions of Abraham Lincoln and the care of his memory.

He did not die in battle among the soldiers of the Union; he perished by the hand of an assassin. He is dead, but his country still lives, and his death may be beneficial to it if the United States, suppressing the horrors of the first emotion, will lament their President, imitate him, and listen to him still, instead of avenging him.

We French have also experienced civil war; more than once have we seen the most noble and innocent victims sink under unexpected blows in the midst of sanguinary struggles. The hand of a murderer has always perpetrated these acts. Crimes are isolated, glories are national. The guilty man seals his own fate as well as that of his victim. Leaving the assassin in the shade of his ignominy, let us think only of the dead, and let us repeat the sentence that must have been the supreme wish of his soul, "May my blood be the last that is shed."

Punish the guilty, punish those monsters, hateful alike to all parties, who murder men by the side of their wives and attack the sick in their beds, but do not suffer indignation to seek revenge afar.

The only vengeance worthy of Abraham Lincoln is the purification of conscience, the return of opinion, the melancholy glory shed upon his name, and especially the energetic union of his successor with his ministers, his generals, and the representatives of the people to finish the work that he began so nobly.

History will perform its part. We will show his soul in no pompous language, but in the simple praise of his life and of his words, or rather by his acts and by his language.

A simple smile pervaded Europe in the autumn of 1860 when it was heard that an obscure lawyer from the little town of Springfield, in the State of Illinois, was seated in the place of the great Washington, and that he had left his modest mansion to advocate three causes: the integrity of the national territory, the supremacy of the Constitution, the limitation and perhaps the suppression of slavery. The smile was broader when we learned that this President,

once a carpenter, a boatman, and a clerk, had to carry on war, to triumph over the evil designs of Europe, to quell domestic dissensions, and to contend with military, financial, and political difficulties all at the same time.

In fact, he was neither financier, nor general, nor director, nor diplomatist, nor seaman; he was only a man of the people, honest, religious, modest, and determined; who had read nothing but the Bible and the Life of Washington before he was twenty-five years of age; who had known no other school than that of life; had no instructor but labor, no protector but liberty.

It is hard to comprehend in Europe, in spite of our love of equality, how a man can reach the highest rank without protection, and how he can sustain himself without pride. We cannot see the power an honest man finds in the two great weapons—conscience and patience. These qualities formed the whole strength of Mr. Lincoln. It was his secret.

On the morning of the 11th of February, 1861, a few friends attended him to the railway station in Springfield. He started after his election, alone and without an escort, to be inaugurated as President.

"My friends," said he, "no one not in my position can appreciate the sadness I feel at this parting. To this people I owe all that I am. Here I have lived more than a quarter of a century. Here my children were born, and here one of them lies buried. A duty devolves upon me which is greater perhaps than that which has devolved upon any other man since the days of Washington. He never would have succeeded except for the aid of Divine Providence, upon which he at all times relied. I feel that I cannot succeed without the same divine aid which sustained him, and on the same Almighty Being I place my reliance for support; and I hope you, my friends, will pray that I may receive that divine assistance without which I cannot succeed, but with which success is certain."

He who pronounced this touching farewell had not yet been inaugurated, and the south was already in arms.

Federal electors were chosen on the 6th of November, 1860, and the majority (180 out of 303) were favorable to Lincoln. South Carolina raised the standard of revolt on the 20th of December. On the 11th of January, 1861, the governor of that State ordered the commander of Fort Sumter, near Charleston, to surrender. Major Anderson, commander of the fort, consulted the new President on the 6th of February, and answered, "If you besiege me, if you begin the civil war, *the responsibility will rest upon you.*"

Calm and firm, in spite of these provocations, the President in his first message (4th of March, 1861) addressed to the insurgents these words, which clearly show the origin and true causes of the war.

"In your hands, my dissatisfied fellow-countrymen, and not in mine, is the momentous issue of civil war. The government will not assail you; you can have no conflict without being yourselves the aggressors. You have no oath registered in heaven to destroy the government; while I shall have the most solemn one to preserve, protect, and defend it.

"One section of our country believes slavery is right and ought to be extended, while the other believes it is wrong and ought not to be extended; and this is the only substantial dispute.

"Physically speaking, we cannot separate; we cannot remove our respective sections from each other, nor build an impassable wall between them. If the minority will not acquiesce, the majority must; there must be submission on the one side or the other. If a minority secede, another minority will secede from them, and thus cause ruin. Plainly the central idea of secession is the essence of anarchy."

These words were uttered on the 4th of March, and on the 12th of April, at four o'clock in the morning, the first cannon was fired by the south. President Lincoln believed so little in the long continuation of the war, that on the 15th of April he only called out seventy-five thousand men to arms; but he was so firmly resolved to maintain the constitution, and to interpret it in favor of human liberty, that in passing through Philadelphia a short time before his inauguration, even in the hall where the declaration of independence was signed in 1776, he said:

"I have often inquired what great principle or idea it was that kept this confederacy so long together. It was not the mere matter of the separation of the colonies from the mother-land, but that sentiment in the declaration of independence which gave liberty, not alone to the people of this country, but I hope to the world for all future time. It was that which gave promise that in due time the weight would be lifted from the shoulders of all men. Can the country be saved on this basis? If it can, I will consider myself one of the happiest men in the world if I can help to save it; but if it cannot be saved without giving up that principle, I would rather be assassinated on this spot than surrender it. I am ready to live for this principle, or, if God so ordains it, to die for it."

He was assassinated; but the war is over, the Union exists, slavery is destroyed; and before he fell, Mr. Lincoln entered the rebel capital, and on the morning of his death he publicly eulogized the brave adversary, Robert Lee, whom his brave generals had just conquered, thus honoring him who had surrendered his arms.

He lived to raise the national Union colors in Richmond just four years from the day when, invited to raise the national standard on Independence Hall, he said:

"Besides this, our friends had provided a magnificent flag. I had to raise it; and when

it went up, I was pleased that it went to its place by the strength of my own feeble arm; when the cord was pulled and it flaunted in the bright glowing sunshine of the morning, I hoped it was a propitious omen. I was the humble instrument in its elevation; the people had made it, and arranged the machinery for its hoisting; and if I can have the same generous co-operation of the people of the nation, I think the flag of our country may yet be kept flaunting gloriously."

After having laid aside the emblems of his power, in the midst of war and in the face of calumny, to submit to a new election, at the moment of his second inauguration on the 4th of March, 1865, he pronounced these memorable words, which have become a solemn testament:

"Fondly do we hope, fervently do we pray, that this mighty scourge of war may soon pass away; yet if God wills that it continue until all the wealth piled by the bondman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid with another drawn with the sword, as was said three thousand years ago, so still it must be said, 'The judgments of the Lord are true and righteous altogether.'

"With malice towards none, with charity for all, with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in, to bind up the nation's wounds, to care for him who shall have borne the battle, and for his widow and orphans, to do all which may achieve and cherish a just and lasting peace among ourselves and with all nations."

Admirable words, and well worthy of him who wrote again, at the end of his message of the 1st of December, 1862, in which, after delaying, waiting, suffering, for two years, he finally resolved to propose the abolition of slavery:

"Fellow-citizens, we cannot avoid history; the severe trial we are now undergoing will stamp us with honor or dishonor to the latest generation."

Upon you, Mr. President, has the guardianship of that honor and the heritage of that great man devolved. Like him, you were a working-man; like him, you have gained bread, knowledge, esteem, and power, by the sweat of your brow; like him, you bravely defended the Union in the Senate; like him, you hate slavery: like him, you are surrounded by great ministers, great generals, that hate would have laid with him in death. It is your duty to enter into the sentiments of Abraham Lincoln, and to finish the work of force by conciliation.

Peace, amnesty, union, liberty, new prosperity! These were certainly the designs of Mr. Lincoln. Such are the vows of the civilized world. Be generous in victory, after having been inflexible in contest.

Europe did not expect to see a commercial people become warlike, without the military spirit lapsing into despotism. Europe did not expect to see four millions of poor slaves resist the temptation to revolt, and twice save a country that persecuted them, by furnishing it brave soldiers, and exciting an external interest, an emotion of opinion which probably prevented intended interventions. Europe did not expect to see the north, caught unprepared, conquer the south, so brave and well provided.

But spare us more surprises, and console us for the length and the calamities of the war by a prompt, solid, and generous peace among all the citizens of that nation to which has been given the beautiful name of *The Union*. The future will say that Washington founded it, that Lincoln and you rebuilt it. May his blood be the last shed!

Mr. Hunter to Mr. Bigelow.

No. 154] DEPARTMENT OF STATE,
Washington, May 22, 1865.

SIR: I transmit herewith, for your information, a copy of a note of this date,* addressed to Mr. Tassara, the Spanish minister, relative to the proceedings of the piratical cruiser Stonewall.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Hunter to Mr. Bigelow.

No. 155.] DEPARTMENT OF STATE,
Washington, May 22, 1865.

SIR: The Marquis de Montholon has left with me a copy of a despatch of the 28th of April, which had been addressed to Mr. L. de Geofroy by Mr. Drouyn

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* See correspondence with the Spanish legation.

de Lhuys, charging him with the expression to the government of the United States of the sentiments entertained by the Emperor and the government of France in regard to the assassination of President Lincoln, the emotions of horror and sympathy inspired by that untimely catastrophe, and their high estimation of his virtues and career.

That despatch is marked by a spirit of generosity and hearty sympathy towards the United States, which does honor to the ancient friendship between the two nations, and which is cordially reciprocated. Your recent despatch informed me of the proceedings adopted by the senate and the legislative corps of France on this subject. I must request you to inform Mr. Drouyn de Lhuys of the light in which all of these manifestations of good will are regarded, and that they will find a permanent place in the grateful memories of the government and people of the United States. With this view you will be pleased to leave with Mr. Drouyn de Lhuys a copy of this instruction.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 97.] LEGATION OF THE UNITED STATES,
Paris, May 23, 1865.

SIR: I have this day addressed to Mr. Cochin a letter, of which the enclosure No. 1 is a copy and No. 2 a translation, in reply to his note of the 17th instant, communicating to me an address from the French Committee of Emancipation to the President of the United States.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Enclosure No. 2.—Translation of No. 1.]

Mr. Bigelow to Mr. Cochin.

LEGATION OF THE UNITED STATES,
Paris, May 19, 1865.

DEAR SIR: I have had the honor to receive your note of the 17th instant, enclosing the address, which, in the name of the French Committee of Emancipation, you request me to present to the President of the United States, and I have already given it the direction you desired.

The sympathy of such a body, composed as it is of some of the most eminent guides of public opinion in Europe, will be gratefully appreciated by the President, while their wise counsel will be sure to receive the consideration which is due to such an exalted source, and none the less because it reflects with simple fidelity the settled and constant policy of my government from the commencement of this rebellion.

It is needless for me to say how highly the President and people of the United States will appreciate the efforts, of which this address is the first fruit, to popularize the lessons of which the late insurrection in America has been so fruitful, nor how cordially I shall co-operate with those who have been so happily inspired. I shall be proud to have my name associated, in however humble a way, with an organization so competent as the one you represent to crown with success the noble work to which they have pledged their talents and their fame.

I am, dear sir, with great respect, your very obedient servant,

JOHN BIGELOW.

P. S.—I will send the list of names you ask for very soon.

Mr. Bigelow to Mr. Seward.

No. 98.] LEGATION OF THE UNITED STATES,
Paris, May 23, 1865.

SIR: On my return to Paris this morning I found a communication from his excellency the minister of foreign affairs, of which enclosure No. 1 is a copy and No. 2 a translation. It is in reply to a communication which I left with his excellency on the 12th instant, a copy of which was transmitted to you in my despatch No. 91. I have only time to-day to say, that the policy of the French government as here defined, in reference to a withdrawal of the imperial declaration of September, 1861, is substantially the same as that recently proclaimed in Parliament by Earl Russell and Lord Palmerston. It also notifies me that (following the example of England) the minister of marine has repealed the restrictions upon the sojourn of the vessels-of-war in French ports.

I am disposed to dispute the competence of the French government to make any distinct renunciation of the right of search, a condition precedent to a withdrawal of the belligerent privileges conceded to the rebels in 1861, on the ground that if those privileges are withdrawn on our application, we are responsible to them just as much as they are to us for any future abuse of the power to search neutral vessels. By now asking them to treat us no longer as belligerents, we voluntarily come under all the obligations of non-belligerents, just as upon their own theory by becoming *de facto* belligerents, and without any declaration of war, we as well as our enemies at once became entitled from neutrals to all the privileges and incurred all the penalties of belligerents. M. Drouyn de Lhuys admits the war is ended. He has then no more authority to exact from us a renunciation of the right to search neutral ships than he would have to exact a renunciation of our right to go to war again if we should ever fancy we had provocation.

I labor under the disadvantage of not knowing what view Mr. Adams has taken of the late declaration of the British government, and I shall take a few days to reflect before determining what, if any, answer should be made before hearing from you.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[Enclosure No. 2.—Translation of No. 1.]

Mr. Drouyn de Lhuys to Mr. Bigelow.

PARIS, *May* 20, 1865.

SIR: I have received the note which you did me the honor to address to me on the 10th of this month.

Referring to the decisive events which have passed in the United States, and which have completed the defeat of the southern Confederate States, you ask if the declaration of neutrality of the 10th of June, 1861, has not ceased to effect the useful purposes that it might have in view, now that the insurrectionary government has no seat or settled existence; that its armies are broken and dispersed; that it has no longer a single port open to it on the seas, and that its flag no longer floats but over a few vessels built in foreign ports, and wandering without any possible refuge about the ports of their country. You ask, at the same time, if the period is not arrived when it would be an unfriendly act on the part of France to refuse to the United States navy the hospitality which the French navy has always found in the ports of the Union, and if the insurgents have not lost every right to the privileges of belligerents recognized by the imperial government.

In the first place, sir, I presume it is understood that the conduct pursued by the Emperor's government from the beginning of the conflict cannot be regarded as in any way dictated by an unfriendly feeling towards the United States, although you state, in the communication to

which I have the honor to reply, that you are unwilling to discuss the necessity or the propriety of our declaration of 1861. I do not the less feel it my duty again to affirm, that the Emperor's government could not have acted otherwise than it has done; that it was at once its duty and its right to recognize in the imposing and regularly organized forces which entered upon the struggle in the heart of the American Union, all the characteristics which constitute belligerents, and to proclaim its neutrality from that time. There could be neither hesitation nor controversy as to the line of conduct to be pursued. Facts forced themselves upon all with sovereign authority, and the government of the United States itself—I may recall it to its honor—did not misunderstand it, for it has observed towards its adversaries, in carrying on the war, the usages which prevail in hostilities between independent nations.

But, in our opinion, the measures taken by us in consequence of a state of war, manifest and declared, ought not to be continued when the situation which had rendered them obligatory has ceased to exist. Now everything shows that the time is at hand when the federal government will be able to depart from the attitude which the necessities of war still impose upon it. As soon as we are informed that it relinquishes the right of search and capture in respect of neutral ships there will no longer be any question of belligerency in respect to the United States for us to consider, and we shall hasten to acknowledge it. We shall be happy immediately to suppress all the restrictions which a state of war has imported into our relations, and especially to offer in our ports the most cordial and perfect hospitality to the ships of a nation which we have long been accustomed to treat as a friend.

I am happy to be able to announce to you that in the present state of things his Majesty's government from this day no longer considers it necessary to retain the regulation limiting to twenty-four hours the stay which the ships-of-war of the United States were authorized to make in our ports; consequently, the minister of the navy has just revoked it.

Receive the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

DROUYN DE LHUYS.

Monsieur BIGELOW,
Minister of the United States at Paris.

Mr. Bigelow to Mr. Seward.

No. 99.] LEGATION OF THE UNITED STATES,
Paris, May 23, 1865.

SIR: On my return from England, this morning, I found a communication from his excellency the minister of foreign affairs, of which enclosure No. 1 is a copy and No. 2 is a translation.

I have only time to say that this communication is in reply to my note to his excellency, accompanying copies of the proclamations referred to in your despatch No. 112.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Enclosure No. 2.—Translation of No. 1.]

Monsieur Drouyn de Lhuys to Mr. Bigelow.

PARIS, *May* 19, 1865.

SIR: You have been good enough to communicate to me officially various proclamations issued by President Lincoln in the course of the last month. These documents call for some observations on my part, which I have the honor to submit to you.

The ships of the United States, says Mr. Lincoln, have been subjected in certain countries to a regime restricting them from immunities and privileges which were assured to them by treaties, custom, and international law, while the ships of those same countries have continued to enjoy the same privileges and immunities previously enjoyed by them in the ports of the United States. This difference must henceforth cease, and foreign ships-of-war will be treated in the ports of the United States in the same way as are the federal ships in the ports of those countries.

As far as we are concerned, the treatment applied to federal ships-of-war, and to which it is intended to submit ours, is that which is prescribed by the obligations of neutrality with

respect to belligerents, the object being to protect the dignity and responsibility of neutrals. Federal belligerent ships cannot now remain in our ports more than 24 hours, unless under certain unavoidable circumstances; they cannot sell their prizes there, nor provide themselves with arms and ammunition; they can only procure whatever is necessary for the subsistence of their crews and the safe navigation of the ship. In case of the simultaneous presence in a French port of ships-of-war, cruisers, or merchant ships, of the two belligerents, an interval of 24 hours at least is to elapse between the departure of the ships of one of the belligerents and the subsequent departure of the ships of the other. Such are the regulations consecrated by the almost universal custom of all nations, and which we have observed in the present war. Now, by what assimilation are these regulations to be applied to our flag? We are not at war with any one; we take no prizes, therefore, into the ports of the United States; nor do we go there to obtain means of aggression against an enemy, nor to seek the opportunity of a collision. Where, then, are the reasons which would justify this pretended reciprocity of treatment in situations so dissimilar?

I do not dispute, however, sir, that the results of the late military operations have considerably modified the situation of the two belligerent parties; but I must observe that the federal government itself furnishes proof that the state of war still exists, and falls into a kind of contradiction if, while demanding of neutrals the abandonment of the conditions of neutrality, it persist in exercising against their ships the right of search and capture—a right which it claims solely from its quality of belligerent.

Receive the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

DROUYN DE LHUYS.

Monsieur BIGELOW,
Minister of the United States at Paris.

Mr. Hunter to Mr. Bigelow.

No. 156.] DEPARTMENT OF STATE,
Washington, May 29, 1865.

SIR: Your despatch of the 12th instant, No. 92, and its accompanying copy of a note which you addressed to Mr. Drouyn de Lhuys upon the subject of the President's proclamations, which were transmitted to you with my instruction, No. 112, has been received and is approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Bigelow.

No. 157.] DEPARTMENT OF STATE,
Washington, May 30, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 10th instant, No. 90, transmitting a copy of your correspondence with a number of of citizens of the United States, residing in France, in regard to the assassination of President Lincoln and to the attempts upon the lives of the Secretary and Assistant Secretary of State. In reply, I have to inform you that the correspondence is highly approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 109.] LEGATION OF THE UNITED STATES,
Paris, May 31, 1865.

SIR: Among the manifold testimonials of sympathy elicited by the assassination of our late President some have seemed worthy of being transmitted to Washington to be read and, perhaps, placed among the archives of the government; others have other destinations, for reaching which the facilities of the State Department are more or less requisite. I transmit them in a body, trusting that you will give them, respectively, their proper direction.

I have divided them into three categories: the first category consists of eleven letters addressed to Mrs. Lincoln; the second category consists of twenty-nine communications from masonic lodges, three addressed to President Johnson, eighteen to the United States minister at Paris, and eight to American lodges; the third category consists of four letters and addresses to heads of the government and of twenty-eight to the United States minister at Paris—making in all seventy-two enclosures.

Though these form but a small proportion, numerically, of the testimonials of sympathy which have been already addressed to me by the people of France, and a still smaller proportion of those yet to be expected, they will suffice to show not only how profoundly the nation was shocked by the dreadful crime which terminated President Lincoln's earthly career, but how deep a hold he had taken upon the respect and affections of the French people. It is difficult to exaggerate the enthusiasm which his name inspires among the masses of Europe at this moment—an enthusiasm before which the ruling classes, however little disposed to waste compliments upon anything tainted with republicanism, are obliged to incline. I think it is generally conceded that the death of no man has ever occurred that awakened such prompt and universal sympathy at once among his own country people and among foreign nations. There can be no better evidence that the world is advancing in civilization than this unprecedented and spontaneous homage to the virtues of Mr. Lincoln. It shows that the moral standard of nations has been greatly exalted within the memory of living men. It does not deserve to be reckoned among the secondary achievements of our people during the last four years to have furnished the world with such a striking demonstration of this gratifying truth.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[For enclosures see Appendix, separate volume.]

[Enclosures to despatch No. 109.]

FIRST CATEGORY.

Letters addressed to Mrs. Lincoln.

No. 1, L'Alliance Religieuse Universelle; 2, Souverain Chapitre des Amis Triomphants, à l'Orient de Paris; 3, the students of the faculty of Protestant theology of Montauban; 4, translation of letter from the conference of French pastors held in Paris April 27, 1865; 5, Madame Sempé and two other ladies; 6, Escarré and twenty others; 7, Ode of M. Descottes; 8, the pastors of the Drôme and Ardèche; 9, the hatters of the house of Didé, of Nimes; 10, sealed letter; 11, Ein Deutsch Amerikaner, in memoriam.

[The above enclosures forwarded to Mrs. Lincoln.]

SECOND CATEGORY.

From Freemason Lodges, addressed to the United States minister at Paris.

1, St. John's Lodge, Amis de la Vérité; 2, Chapter Lodge, les Amis Triomphants; 3, Chapter Lodge, Clémente Amitié; 4, Scotch Lodge, Élus de St. Etienne; 5, Chapter Lodge, Mars et les Arts; 6, Scotch Lodge, No. 146, La Ligne Droite; 7, Chapter Lodge, les Amis de la Patrie; 8, Chapter Lodge, l'Avenir; 9, Scotch Lodge, No. 88, la Prèvoyance; 10, St. John Lodge, No. 147, du Hêros de l'Humanité; 11, Supreme Lodge, Scotch rite; 12, St. John Lodge, St. John of Jerusalem; 13, St. John Lodge, Tolèrance et Progrès; 14, Lodge de Henry IV; 15, Lodge Le Berceau d'Henry IV of Pau; 16, Lodge L'Ecole de la Morale of Libourne; 17, St. John Lodge, La Persévérance.

Letters to lodges.

1, La Renaissance par les Emules d'Hiram to the Grand Lodge of New York; 2, La Renaissance par les Emules d'Hiram to the Grand Lodge of Illinois; 3, La Renaissance par les Emules d'Hiram to the Grand Lodge of New York, colored; 4, Les Amis de l'Ordre to the Grand Lodge of New York; 5, Le Temple des Familles to the Freemasons of the United States; 6, Le Temple des Familles to the colored lodge of New York; 7, The Scotch Lodge, No. 176, L'Espérance Savoysienne to the Grand Lodge of New York, No. 17; 8, L'Alliance Fraternelle to the Grand Lodge of New York.

Letters to President Johnson.

1, St. John Lodge, Orion, of Gaillac, Tarn; 2, Scotch Lodge, No. 146, La Ligne Droite; 3, Chapter Lodge, de la Bonne Foi.

THIRD CATEGORY.

Miscellaneous letters and addresses to the President and others.

1, Abraham Lincoln in memoriam, by Ein Deutsch-Amerikaner; 2, letter, sealed, to President Johnson; 3, address of the Evangelical Alliance of Lyons; 4, sealed letter to Mr. Seward.

Letters to United States minister at Paris.

1, Alfred Monod, avocat au conseil d'Etat; 2, La Jeunesse Francaise, a deputation; 3, inhabitants of Boyan; 4, Colonel Count Faubert, of Haité; 5, students of the School of Medicine; 6, Franco-American Colonists; 7, Louis and Casimir, Dìdè of Nismes, manufacturers; 8, Courier du Dimanche; 9, chargé d'affaires of Persia; 10, citizens of Guingamp, presented by M. Edward Laboulaye; 11, Oscar de Lafayette; 12, verses by Auguste Lalure; 13, Mr. Drouyn de Lhuys, minister of foreign affairs; 14, Pierre Napoleon Bonaparte; 15, Edward Laboulaye; 16, committee for obtaining a canal by the Isthmus of Darien; 17, address of the Democrats of Tours; 18, Latin poem, by F. B.; 19, Union Nationale du Comme et de l'Industrie; 20, Paul Thouzery, accompanying a poem; 21, members of the Protestant church of Montauban and Toulouse, and of the London Abolition Society; 22, address from people of Strasbourg; 23, F. Campadelli, with poem; 24, inhabitants of Vierzon; 25, address from Americans at Pau; 26, letter from the conference of French pastors; 27, letter from Rev. Barthe, president of the consistory of Pons; 28, L'Alliance Religieuse Universelle.

Mr. Bigelow to Mr. Seward.

[Extract.]

No. 110.] LEGATION OF THE UNITED STATES,
Paris, May 31, 1865.

SIR: I have pleasure in transmitting to you an elaborate article which has just appeared from the pen of the Count de Montalembert, of the institute, on the recent triumph of the United States over her enemies. It appears in the Revue Correspondent. The position which the Count de Montalembert has occupied for some years, not only as one of the most eloquent living writers of France, but as one of the most cherished lay champions of the Latin church, gives a political significance to this article which does not ordinarily attach to contributions to the periodical press. * * * * * *

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Article by Count de Montalembert from the Revue Correspondent.

[Translation.]

THE VICTORY OF THE NORTH IN THE UNITED STATES.

Whilst during the last days of the debates on the address an orator, illustrious for all time, charmed our minds and our hearts in pleading the best of causes; whilst upborne, on the wings of justice and of truth, he soared to unaccustomed heights, and caused his rapt audience to rise with him, news, happy and glorious above all, traversed the seas, and came to bring to souls steadfastly enamored of liberty a trembling sensation of a joy and of a consolation for too long time unknown.

The deep sorrow which has befallen, to impress on the triumph of the northern States a sacred character, should not take anything from this joy. It must survive the consternation, the terror, caused throughout the world by the assassination of President Lincoln, victim immolated on the altar of victory and of country, in the midst of one of those supremely tragic catastrophes which crown certain causes and certain existences with an incomparable majesty, by adding the mysterious grandeur of expiation, and of an expiation unmerited, to the virtues and the glories which humanity the most esteems.

Let us then greet, with unmingled satisfaction, the happy victory which has now assured to the United States the triumph of the north over the south; that is to say, of lawful power over inexcusable revolt, of justice over iniquity, of truth over falsehood, of freedom over slavery.

It is well known that it is not our habit to offer incense to victory—to applaud the conqueror. This is the first time it has happened to us for more than thirty years. It is very sure we shall not abuse this novelty, and shall not make a practice of applause. Let us then be allowed to-day to abandon ourselves without reserve to a joy so rare, by connecting our present emotions with those days, too quickly passed away, when the charter of 1814, the enfranchisement of Greece, the emancipation of English Catholics, the conquest of Algeria, the creation of Belgium, came in succession to adorn the young years of this century, to rejoice and strengthen liberal hearts, and mark the stepping-stones of true progress. Behold, anew, after a too long interval, a happy victory. Behold once, at least, evil subdued by good, strength triumphant in the service of right, and which procures for us the singular and supreme enjoyment of sharing, on this side the world, in the success of a good cause sustained by good measures and gained by worthy people. Let us then thank the God of armies for this glory and this happiness. Let us thank Him for this great victory which He has now granted, for the everlasting consolation of the friends of justice and of liberty, for the eternal confusion of diverse and numerous categories of those who take advantage of and oppress their fellow-creatures by slavery as well as by corruption; by falsehood as by cupidity; by sedition as by tyranny.

But already I hear the murmur of surprise, of discontent, of protest. Even in the Catholic camp the cause of the north has been, is still, unpopular. Even on the rumor of its victory, this shameful cry, "*so much the worse,*" brought home by the Moniteur to the bosom of the legislative body, escaped perhaps from more than one breast, from more than one heart habituated to contend, like ours, for the causes we love and have served from the cradle.

Should we then, we are asked, should we then truly rejoice and bless God for this victory? Without fear we answer, yes, we should. Yes, God should be thanked because a great nation lifts herself up again; because she has cleansed herself forever from a hideous leprosy which served as a pretext and reason to all the enemies of liberty to revile and defame her; because she now justifies all the hopes which rested on her; because we have need of her; and because she is returned to us, repentant, triumphant, saved. Yes, God should be thanked, because that leprosy of slavery has disappeared under the steel of the conquerors of Richmond, extirpated forever from the only great Christian nation which, with Spain, was still infected by it; because this great man-market is closed; and again, because we shall no more see on the glorious continent of North America a human being, formed in God's image, put up to the highest bidder, to be knocked down and delivered as prey, with his female companion and their little ones, to the arbitrary will, the cruel selfishness, the infamous cupidity, the vile passions, of one of his fellow-creatures.

Yes, God should be thanked because in lifting herself up again, and purifying herself, America has done justice to, honored, glorified, France and French policy, her true policy, the old, honest and bold policy of our better times, that which sent forth the foremost men of the chivalric and liberal French nobility on the foot-prints of Lafayette to the camp of Washington; because there, at least, the generous devotion of our fathers would not have led, as elsewhere, to a bloody and cruel miscarriage; because from that results another crown for Louis 16th, for the royal martyr, for him who was himself among us the expiatory victim of a great revolution, victim the more touching and the more sacred because, in place of disappearing like Lincoln in the midst of universal sorrow, he was outraged before he was immolated; that those outrages still endure, and that for this cause he carries along our admiration and our compassion to a height which has nothing above it but that of God crucified.

Yes, God should be thanked, because, in this great and terrible strife between slavery and freedom, it is freedom that remains victorious; freedom, which habituated among us to so many mistakes, to such treachery and confusion, compromised and dishonored by so many false friends and unworthy champions, had great need of one of those grand requitals the inestimable value of which at once shines forth to the view of all.

Yes, God should be thanked, because, according to the best averred narratives, the victory has been unstained; because the good cause has not been tarnished by any excess, nor soiled by any crime; because its advocates have not had to blush for its soldiers, nor the soldiers for their leaders, nor the leaders for their success, nor their success for having crowned base cupidity and perverse conspiracies.

Yes, in fine, God should be thanked, because the aggressors have been conquered; because those who were the first to draw the sword have perished by the sword; because impunity has not been accorded to those who provoked an iniquitous revolt, an impious war; because this time, at least, boldness and cunning have not sufficed to mislead right-minded people; because the authors of the crime have become its victims; because on passing the rubicon of lawful action they have found on the other shore defeat and death; because having hazarded the fortune and the future of their country, with the rashness of the adventurer and the dexterity of the conspirator, the *alea jacta est* has not availed them, and that at this impious and bloody game they have not succeeded; they have played, and have lost. Justice is done.

I.

Let us resume and persist. Let us not be made giddy by the temporary discomfiture of the adversaries of the American cause, and of our own. Let us not believe them to be definitively converted and enlightened. By degrees, as the dazzling brilliancy of the light which the capture of Richmond all at once shed over Europe, followed by the tragic death of Lincoln, begins to fade; by degrees, as the shadows inseparable from all victory and every human cause appear along the horizon, we shall hear anew those invectives, of which the United States in general, of which the northern States in particular, have been the object. Raillery and calumny will recommence the assault to reanimate that ill-natured opinion which we have seen so ably and so wittingly maintained within and without. That perverse joy, so often given utterance to by all the enemies of liberty since the fall of the great republic might have been thought of, will again become noisy and potential on the first embarrassment, on the first mistake, of our friends beyond the sea. To-day all the world denies that it wishes, or that it ever even wished, for the continuance of slavery, but the arguments and interests favorable to slavery have not ceased to maintain their empire.

It has not been an unimportant teaching to watch how, from the first days of the breaking out of the conflict between the north and the south, the classifying of opinions has been going on. I do not say, please God, that all friends of the south are enemies of justice and liberty; still less do I say that all partisans of the north ought to be regarded as truly and sincerely liberals. But I say that an instinct, involuntary perhaps, all powerful and unconquerable, has at once arrayed on the side of the proslavery people all the open or secret partisans of the fanaticism and absolutism of Europe. I say that all the open or secret enemies, political or theological, of liberty, have been in favor of the south. It would be useless and puerile to deny that the United States count a certain number of adversaries among the Catholics, and that notwithstanding the so prodigious and so consoling progress of Catholicism in that country, a progress no one has witnessed anywhere else since the first ages of the church.*

I will carefully refrain from fathoming the causes of this unpopularity of America in general, and of American abolitionists in particular. That investigation would lead me too far. I will confine myself to observing that the men of my time have always encountered in their path an opinion mistakenly religious and blindly conservative. It is that which in 1821 was for Turkey against Greece; in 1830 for Holland against Belgium; in 1831 for Russia against Poland; the same which is to-day for the pro-slavery men of the south against the abolitionists of the north. Events in the first place, and then the sympathies of the mass of the clergy and of Catholics, enlightened by events, have inflicted on this tendency severe contradictions and humiliating recantations on the Oriental question, the Belgian question, and the Polish question. I am convinced the same will happen some day or other on the American question.

But if it is annoying to arrive too late to the aid of justice and truth; if, with the exception of the learned and eloquent Dr. Brownson, we do not discover among Catholics in the United States any champion of the emancipation of the negro race, we have at least the small consolation of being able to prove that there has not issued from their ranks any apology for American slavery. It is repugnant to me to acknowledge the sacerdotal character in the author of a recent and anonymous publication, entitled "Slavery in the Confederate States, by a Missionary." If the author of this shameless book were really a priest, and if it suf-

*In 1774 in all the English colonies, from which the United States arose, were only 49 priests. The first bishop appeared in 1790. In 1839 the church counted in the United States 1 province, 16 dioceses, 18 bishops, 478 priests, 418 churches. In 1849, 3 provinces, 30 dioceses, 26 bishops, 1,000 priests, 966 churches. In 1859, 7 provinces, 45 dioceses, 2 vicariats, 45 bishops, 2,108 priests, 2,334 churches.

ficed him, as he affirms, to live among American planters for twenty-four years, to maintain loftily the usefulness and lawfulness of the slavery of the negro, even to discover in their servitude the only possible barrier to their loose habits, the fact alone of such a perversion of the moral sense and sacerdotal conscience would in itself constitute the strongest argument against the social and religious rule in slaveholding countries.

But outside of the question of slavery, and even before this question occupied attention, there prevailed among a too large number of Catholics an instinctive aversion towards America, the origin of which it is perhaps proper to trace back to Count de Maistre. His influence, it is known, over the greatest as well as the smallest questions was incontestably the most powerful of all those which the Catholics of the nineteenth century have submitted to. This great man, like many of his peers, owes still more of his renown to his exaggerations than to his great intellect. His paradoxes have had more success, and certainly more resonance, than the genius and good sense of which he has left in the greater part of his works the ineffaceable impress; we yet are too little acquainted with the exquisite tenderness of his charming spirit, and much less still with the haughty independence, the intellect at once chivalric and liberal, the luminous and often very far-reaching policy which are revealed in him through his various correspondence recently published. But he did not like the United States; their origin and their progress contradicted some of his most cherished theories. He fell into the error of transforming his repugnancies into prophecies. We know what has been the fortune of that which he reduced to form about the capital of the United States: "Either that city will not exist, or it will be called by another name than that of Washington." He had more common sense when he restrained himself in the expression of impatience which the extravagant admirers of the new American nation inspired, saying. "Leave, leave that child in the cradle to grow bigger."

Well, we can say, in our turn, the child has grown; has become a man; and the man is a giant. This people, disdained, condemned, calumniated, laughed at, has shown in the most formidable crisis which any nation can pass through, an energy, a devotedness, an intelligence, a heroism which have confounded its adversaries, and surprised its most ardent friends; it now mounts to the first rank among the great nations of earth.

M. de Maistre dies, and in presence of the increasing greatness of the United States other arguments are sought to decry them. It is said to us, Don't talk about your America, with its slavery. Well, our America henceforth is without slaves. Let us talk of it, therefore, although many without doubt would rather talk less than ever about it. It is said especially, "The American people will not know how to make war; and if it does so, conqueror or conquered, it will fall a prey to some fortunate general, some Bonaparte, who will begin with a dictatorship, and end with a despotism which his fellow-citizens will entreat him to save them from, and who, in exchange for this safety, will claim from them that which all Cæsars claim, their honor and liberty.

But the experience has been had, at least on this point, and never has prophecy received a more bloody contradiction.

The Americans have known how to make war; they have made it with an energy, a dash and perseverance that are incontestable; they have not become the prey of any general, of any dictator, of any Cæsar: they have waged the most difficult and most terrible of all wars—civil war; they have made it while developing in its course all the qualities, all the virtues which form great military nations; they have made it on an immense scale. No modern nation, not even revolutionary France with its fourteen armies, has set on foot or hurled against the enemy forces proportionately so numerous, so disciplined, so well equipped, so steady under fire. These traders have cast as a prey to the exigencies of war their fortunes with as much prodigality as the English shopkeepers in their struggle against Napoleon, and their children with as much of heroic abnegation as did the France of 1792 in her struggle against Europe. Whilst absurd slanderers denounced to Europe these pretended armies of *mercenaries*, attaching to them the like stigma as to our young and gallant countrymen of Castel Fidardo, more than a million of volunteers took up arms on one side for the defence of the Union and of republican institutions; on the other, for the setting up of their independence and maintenance of their local franchises; * and of this million of armed men not one, thank God, has become the butcher of his brethren or the satellite of a dictator.

These forces have been commanded by improvised generals, many of whom have shown themselves worthy of marching in the steps of the most celebrated of our republican generals; by men who have been not only masters in tactics and strategy, but heroes in valor and moderation, great statesmen and great citizens; Grant and Lee, Burnside and Sherman, McClellan and Beauregard, Sheridan and Stonewall Jackson, have inscribed their names on the great page of history.

I name, designedly, the chief among the leaders of the two hostile armies; for I am happy to acknowledge that to the whole American people is due, in this relation at least, the homage of our admiration. The two parties, the two camps, have evinced the like bravery, the like indomitable tenacity, the like wonderful energy, the like intrepid resolution, the like self-

* The report of the War Department of 1862 showed the presence of 800,000 men in the federal armies, nineteen twentieths whereof were enlisted volunteers. The proportions must have changed, and the draft has filled up the gaps. This omits the confederate forces, less in number, but equals in courage and discipline to the federal force.

abnegation, the like spirit of sacrifice. All our sympathies are with the north, but these detract nothing from the admiration with which we are inspired by the heroism of the south. Displayed in the service of injustice and of error, it is nevertheless heroism. It even seems certain that the southerners have shown more military merit, more energy and talent, more dash and brilliancy than their enemies, above all, in the first period of the struggle. How can we avoid admiring them, while at the same time regretting that such high and rare qualities have not been consecrated to a more irreproachable cause; what men, and also, and beyond all, what women, daughters, wives, mothers, these South Americans have brought to life again in the very midst of the nineteenth century, the patriotism, the devotedness, the self-denial of the Roman women of the best days of the republic.

The Clelias, the Cornelias, the Portias have found their rivals in many a hamlet, many a plantation of Louisiana or Virginia. We have seen even in our midst fragile girls, unassuming wives separated from their kindred, despoiled of fortune, but proud of their poverty, resigned to distress, to ruin, to exile, happy thus to offer up their sacrifice for the cause of the nation, repelling with indignation the slightest idea of bargain, of concession, bearing in their haughty aspect the incontestable mark of that determination which gives birth to a manly race. Such heroines make it understood better than any thesis of what soldiers the army of the confederation must be composed, and what prodigies of resolution and constancy were needed to bring this about. These prodigies have been effected, but at the cost of efforts and of sacrifices which prove the obstinate bravery and wonderful steadfastness of the southern soldiery. It required four years of effort and seven hundred thousand men to achieve Richmond, the capital of the south. No fortress, not even Sebastopol, has cost such efforts; and as for European capitals, we need not even mention them. We know how they fall. Berlin, Vienna, Madrid, Paris, are there to tell us.

The war began ill for the north; this sudden outbreak had thrown up all the dregs of the social condition to the surface, and disclosed them to the view of all. Corruption and treason had shamelessly done their part, but presently they were denounced, restrained, subdued, and thrust back into nothingness; conquered in presence of the enemy, whose best auxiliaries they were, they disappeared; as often happens to a good cause, such causes as have God's blessing, the trial has been of advantage to that of the Americans. It has purified, warned, corrected them. Thus, then, this republic which was supposed to be absorbed in trade and agriculture, enervated by riches and prosperity, incapable of efforts and of sacrifices which pertain to war; this republic has already shown itself to be the emulator and rival on the field of battle of the Roman republic and of the Grecian republics. Like them, it has already had its two heroic wars; its Medean war and its Peloponesian war. The war of 1774 to 1782 which created its nationality, and the war of 1861 to 1865, which has destroyed slavery, has engraven its name in the front rank of the pageant of military renown. That may suffice it; may it be enabled to halt at that point in this bloody and perilous career!

But these military virtues, as rare and as heroic as they are, seem commonplace and insignificant side by side with the civic virtues with which the American race has shown itself to be stocked through the whole course of this formidable war. Not any liberty repressed, not any law violated, not any vote smothered, not any guarantee abandoned, no dictatorship implored—that is the real wonder and the supreme victory. Listen and look on, nations of Europe; nations that run wild as soon as internal dangers menace you; heroic nations are you also on the field of battle, but intimidated and demoralized by every civil danger; servile nations which a temporary dictatorship does not suffice either to reassure or to console, and which does not set you at ease and in shelter unless in its abdication.

Alas, where is the European nation which would have supported with this calmness and this resolution the formidable test of the civil war and of the military fever? Certainly not France, our dear country; she whom the mere apprehension of such mischiefs has reduced to such strange extremities; she who was unable to endure three days of storm, and three years of uncertainty, without making confusion of all the opinions, of all the institutions, of all the guarantees which she had so often proclaimed, reclaimed, or acclaimed with such unbridled passion. Let us then suppose France a prey, during only four months, to an intestine war such as that which for four years has ravaged a portion of the United States. Let us figure to ourselves our cities bombarded, our highways broken up, our fields devastated, our country seats pillaged, our villages burned or plundered by an irritated soldiery, our rivers and canals obstructed, our railroads demolished, our rails torn up, our trade suspended, our manufacturing industry laid desolate, all our affairs entangled, and all our interests endangered; and all this upon a question of constitutional law or of religious humanity. Yes, let us fancy France actually subject to such a discipline; let us frankly avow there would be no act of violence, no extreme measure that would not seem legitimate in order to bring it to an end. There would not be a corporal or a mountebank so despised as not to be regarded as a messiah on the single condition of putting an end to the strife, and bringing round the reign of order and of peace at any cost.

Under all reigns in succession amongst us, political offences have always served as the motive or pretext for disturbances in legislation. After the attempt of Louvel, as afterwards with those of Fieschi and Orsini, laws of exception, aggravation of penalties, changes of jurisdiction, measures said to be for the general safety, have been at once called for and passed. If to-morrow the arm of a regicide were by a cowardly assassination to cut short the life of

the sovereign whom the nation has itself selected, one-half of France would instantly cry out that the other half should be sent to prison. American democracy does not experience either these panics or these rages. A reprobate, at once, in the midst of a festival, puts an end to the chief of the state, the man who concentrated all attention, ruled all hearts, tranquillized all uneasiness. But neither consternation nor anger disturbed the self-possession of that people, truly great. The day after the crime, as on its eve, it continued master of itself and of its destiny; not a law was disregarded or changed, not a newspaper was suppressed or suspended, not a single violent or exceptional measure occurred to disturb the regular and natural movement of society. Everything kept its accustomed order; America, calm and self-assured in the midst of her poignant grief, might present this noble spectacle with legitimate pride to those officious Paris journals, the known panegyrists of all restrictions and usurpations, which dare to preach moderation to her.

The American nation, then, has not thought of recourse to suicide in order to avoid the anxieties of fear and uncertainty. It has not imitated those despairing invalids who prefer immediate death to lengthened suffering. Widely differing from those madmen of whom St. Augustin speaks, who through fear of losing the goods of this world forget the heavenly, and thus lose all, the Americans have preserved, above all, the higher good, honor and liberty; at no price would they sacrifice them for the rest, and the rest has been given to them or rendered as profit. They have lost nothing; they have preserved all; besides, they have given to the world the glorious and consoling example of a people which saves itself without a dictatorship and without proscription, without Cæsar and without Messiah, without becoming faithless to its history and to itself.

The statue of liberty, to employ the vocabulary of the terrorist, has never been veiled. The state of siege remained unknown in all the cities which were not besieged by or directly threatened by the enemy. Unless all our information be controverted, it must be acknowledged that law and order has been everywhere maintained and respected. All the newspapers have continued to appear without any restriction or censure; more than this, notorious correspondents of foreign journals, the most hostile to the northern cause, have continued to write and to send their letters to their address in Europe, without incurring any danger or meeting with any hindrance; outside of localities wheremilitary operations were in progress, individual liberty suffered no restraint, liberty of assembling together excited no distrust, nor was any class and description of citizens declared suspected or outlawed.

Mob violence, brutal and redoubtable in every democracy, must certainly have produced some offensive scenes, some isolated acts of oppression; but who confound these aberrations, always temporary, as well as justly odious, with the crimes of which the regular authorities, the legislative assemblies, have elsewhere taken the responsibility and the initiative? If liberty has been suspended in certain localities by military leaders, it has been immediately restored by the civil superiors, and everywhere the generals have shown the most exemplary submission to the magistracy; everywhere they have listened respectfully to the voice of the civil authorities, and obeyed the laws with docility; not an instance is cited of interference or insubordination on their part; conquering or conquered, through this long struggle not one has derogated from the fundamental law of a free and well-ordered country; not one has shown the least symptom of realizing the predictions of the false prophets. "We shall see what Wellington will do now," said Napoleon after his arrival at St. Helena. This great contemner of human conscience did not comprehend that one might live as a worthy man, and simply a peer of England, after having gained the battle of Waterloo. "We shall see what Grant and the other victorious generals will do now," say, in undertones, the detractors of America and of her institutions. The glorious conqueror of Richmond has already answered them. Placed at the head of the principal federal army seven months ago, and already invested with redoubtable popularity, Grant refused to allow himself to be put in competition with Lincoln at the last presidential election; he refused the chance of becoming the chief of the republic in place of the "rail-splitter" who had intrusted him with the sword of the country in order to save it, as in truth he has saved it.

But that which affects and consoles and charms, is that this victory has remained pure, as pure as legitimate. Admitting, as we must do, that there have been on either part in the blindness of the contest some excesses and outrages, very deeply regrettable, which the law of war still seems to authorize among nations the most civilized; admitting that some soldierly brutalities, although provoked, have been justly surprising and revolting to the proud independence of the men, and especially of the women, of the south; admitting on the part of the northern people certain acts of devastation or of reprisals which we rebuke, whilst we raise them far below the ferocity of the southerners against negro prisoners of the federal army, it remains not the less demonstrated than ever, that at no period of history has a great political contest taken place, no great political cause been gained, costing so little to justice, to humanity, to the human conscience. Never has a great war been made with more humanity. Take for example the wars of religion, and those of our revolution. Then also, as in the America of our day, the question was to reduce by force a portion of the country in insurrection, in the sixteenth century against the old order of things; in the nineteenth against the new order. What horrors, what threatenings, what punishments during those dreadful years, the consequences of which still weigh upon our national existence. Let us compare especially

the measures decreed by the convention, and the horrors committed by the terrorist generals against La Vendée; let us compare the outrages committed only yesterday by the Emperor of Russia against Poland, insurgent and expiring, with the laws and actions of the American government against the secessionists. Nothing can be more analogous than the situation; nothing more different, thank God, than the repression. What contrast, at once lamentable and glorious! There, in Vendée, in Poland, and let us add (for the benefit of English detractors of their brethren beyond the sea) in Ireland, in rebellion in 1798, all that the devilish imagination of tyrants and executioners could invent of punishment, of torture, of outrage against life, chastity, conscience and human compassion. Here, in contemporary America, not a crime. I mean, not a public crime, avowed, official, for which the nation may be accountable, not a prisoner massacred, not a political scaffold. Nothing, absolutely nothing, like the acts of the terrorists, or of the Muscovites. Neither deportations, nor tortures, nor military executions, nor fusillades; neither wholesale drownings, nor showers of grape-shot. Liberty, civilization, democracy, have nothing to blush for. These beyond-sea republicans have neither adopted nor applied the odious maxim that the end justifies the means. Thus they have dug an abyss not only between them and so many monarchs or monarchists, but between them and so many republicans, authors, accomplices, or panegyrists of excesses which dishonored the French revolution in its contest against an insurrection far holier and far more legitimate than that of the south.

It is particularly by the treatment of prisoners and wounded that the progress of true humanity and of Christian civilization is manifested. Nowhere has such progress been so striking as among the Americans during this last war. The prisoners whom European nations, emulous of heathens and barbarians, thought themselves authorized to hang or shoot as soon as civil war broke out, as was done not only by the terrorists in La Vendée, the Muscovites in Poland, but even in our time, and for so long by the Spaniards, both Christinos and Carlists; the prisoners of the civil war in America are treated with the consideration shown for a long time by Christian nations for the unfortunate brave. None have been seriously ill-treated: none, above all, have incurred risk of life, and we shall see, we already see them reappearing and freely resuming their social rank in their country, conquered but not abased.

What is there finer than the correspondence, published in all the papers, between Grant and Lee, between the two great chiefs of the two armies, at the moment of the capitulation of the confederates of the 7th and 9th April? What mutual respect, what consideration, what delicacy of expression, what scrupulous observance of the laws of honor, and at the same time of the laws of humanity. But above all, what a happy mixture of dignity and of good grace. It might be termed the reproduction, after the battle gained, of that famous meeting of the French and English guards at Fontenoy, were it not for a certain graver feeling, which responds to the gravity of the interests involved in the contest, and to the moral and spontaneous conviction of all those brave men voluntarily engaged in the conflict for which they all feel themselves responsible before God and their conscience.

As to the care of the wounded, as to the immense progress of humanity in this direction, you should read the book published, in Paris even, by an American well known and esteemed by many Frenchmen. Under a modest title ("The Sanitary Commission of the United States, its origin, organization, and results, &c., by Thomas W. Evans, 1865,") this volume conceals treasures of consolation and for admiration. There probably exists not in the world a work which gives a better account of the wonders which a beginning combined with discipline can accomplish; nothing which teaches better what a nation of men inspired by religion and liberty, severely trained in the school of spontaneous effort and of self-reliance, can effect. By the side of the perpetual struggle of individual devotedness against bureaucratic routine, are found admirable and entirely new inventions of humane industry and Christian generosity for the solace of heroic suffering. Sixty millions of francs gathered by voluntary collectors; as many millions of articles of natural production, prepared or brought in by the American women; all these resources put in operation, with as much good sense as presence of mind, by an army of physicians, lawyers, legislators, ministers of religion, merchants, students, all eager to lavish their time, their devotedness, their intelligence, to the service of their fellows; all dispensing without distinction these benefits to friends as to enemies lying side by side in the same ambulances, on the same bed of suffering. Behold a picture which truly does honor to the human race, and above all to the American people, but also a spectacle which fills the heart with the sweetest and purest emotions. We bless God for this incontestable progress, for the anguish spared, the tears wiped away, for all the miseries solaced by an inspiration which it might surely be permissible to trace back to Him.

In view of this combination of civic and military virtues in the bosom of the same people, have we not reason to affirm that the people of the United States have gained the right to be placed in the front rank of modern great nations? This greatness will for a long time yet to come be contested and detested, but it will every day be more dear to generous hearts, to hearts truly Christian, for having been definitively established upon the greatest act of cotemporaneous history—on the abolition of slavery among Christians. Yes; as was said in the assembly by a worthy man, (Eugene Pelletan,) whose heart and whose intellect master the sympathies of those even who do not partake in all his opinions, the victory of the north, having as its result the disappearance of slavery, is the gage of honor of the nineteenth century.

Yes; slavery is abolished, and will never reappear where it has been once abolished. No man will be found in America strong enough again to subject the enfranchised black man to the chain and the lash, as the First Consul Bonaparte did in the Antilles. It is well to dwell upon this, and to revert to it without ceasing; for if no one, in France at least, any longer is willing to be counted at this day among the apologists of negro slavery, it is not so long since that men, called to preside over the chosen of the people, openly defended, and for hire, colonial slavery.

For this benefit accomplished the blacks themselves are less to be felicitated than the whites, enslaved, through their property in the negroes, by the most shameless passions and most shameless sophisms which can infest human nature.* It is to them, especially, that has been rendered, in spite of themselves, the most signal and most urgent service. But still the human race and all Christendom should be felicitated. Thanks, then, should be rendered to the Almighty that a young and great nation, a Christian nation, has been able to extirpate from its bosom this monstrous institution which substitutes the herd for the family. Under what a mass of sinful prejudice, of interested falsehood, of casuistic immorality, must not a human heart be crushed, not to bound with joy at the mere thought of a revolution so salutary; not to comprehend, to bless and to shout Hallelujah for all these souls enfranchised. "If slavery is not an evil," said Lincoln, "nothing is an evil." And beside, what Christian soul can fail to perceive in this great drama the arm of an avenging God, and side by side with that divine vengeance the empire and the victory of prayer! For they have prayed, those slaves; they are not idolaters or savages; they are Christians subjected to other Christians. They have therefore prayed, and God has given ear to them. "There is a place," said Burke, the greatest man of modern times, speaking to the peers of England of the victims of the tyranny of the vassals of the East India Company, "there is a place where guiltless and industrious hands, chained and bruised by slavery, are gifted with irresistible strength; when they are raised to implore Heaven against their oppressors, there is no citadel they cannot wrench from its foundations, there is no vengeance those all-powerful hands cannot bring down upon our heads. There is something to tremble at. Look to it, my lords."

Yes, as the immortal Lincoln said, in his plain and sensible language, in the midst of the serenades and illuminations which accompanied the promulgation of the great act, "The American people has given a great spectacle to the world." Yes, he was right; no spectacle could be finer. In the future this will be, with the abolition of the traffic imposed on the world by England, the principal conquest of contemporaneous civilization, its title to redemption and eternal honor.

There will then disappear forever that infamous code and social rule which, putting aside all exaggeration and all declamation, and taking note of happy exceptions as well as of exceptional atrocities, reduced four millions of human beings to live deprived of regular marriage, of the right to appear in court; which established for them instruction in crime; which assimilated them to animals more or less well treated, according to their value; which condemned the women to promiscuity, the married, parents and children to heart-rending separations; which exposed all of every age and of either sex to chastisement, the shamefulness of which was exceeded only by their cruelty.

I refer to the capital work of Mr. Cochin on the abolition of slavery all those who should experience the need of refuting the commonplaces of the apologist of slavery about the pretended happiness of the negroes, the pretended virtues of the slave-dealers, and of the whites given over to the terrible temptations of unlimited power, on the pretended impossibility of free labor in certain climates, on the pretended impossibility of producing their sugar and cotton without slavery, on the pretended disasters which must everywhere follow emancipation.

I wish not to dwell for a moment, but on a single point which sometimes disturbs intelligent minds, as to the supposed inferiority of the black race. Without doubt it is not destined to take the first place among the human races; but all that is passing in America proves that the enfranchised blacks are perfectly capable of understanding and practicing the duties of Christian and social life, and also of becoming willing and active servants of the public and of the state. They have at once shown that they are capable of fighting, and of fighting with understanding of the cause, and for the cause which was their own. It is in vain the south has attempted to arm its slaves, and lead them to battle as to compulsory labor, but in vain. "I have heard in my lifetime," said President Lincoln, with that good-humored irony which often marked his language, "I have heard many arguments intended to prove that negroes were made for slavery; but if they consent to fight that their masters may keep them in slavery, it will be the best argument of any I have ever known. He who will fight for that will deserve certainly always to be a slave. As for me, I think every man has a right to be free; however, I will willingly permit the blacks who would like to be slaves to remain so; I would even go so far as to allow those whites who boast of and envy the condition of the slaves to become slaves." But this attempt, which amused Lincoln, had no success while the north formed from the freed negroes excellent regiments, thoroughly dis-

* "At first I was moved by the condition of the oppressed, of the poor race which constituted the fortune of those who perpetuated its misery; at last I take to pitying the oppressors. I conjure them to have pity on themselves."—*Augustin Cochin*—Abolition of Slavery.

ciplined, and as intrepid as the black regiments in the English service, or the heroic companions of Toussaint Louverture. The party for emancipation has never produced an argument more irrefutable or a result more decisive. It may be relied on, the arms which have wielded the sabre and the bayonet under the banner of liberty will never return to debasing shackles; and these improvised soldiers have revealed, by their example to the race from which they spring, the secret of its strength as well as of its rights.

To bring round this great work, at this day so happily accomplished, Providence has made use of instruments apparently as obscure as weak and insignificant. We surely do not forget the great writers and the great orators who, to the advantage of the emancipation of the blacks, have kindled the fires of their eloquence, nor that Channing whose honored memory receives new brilliancy from the triumph of the cause he so well served, nor that generous and indefatigable Sumner, stricken down in full Senate by a brutal colleague amid the enthusiastic applause of the whole south, and who to-day finds himself recompensed for his labors, for his trials, and his honored scars; nor that Theodore Parker, who celebrated the marriage of two fugitive slaves, giving as a marriage present to the husband a Bible and a sword. "This," said he, "is to teach you to serve God with your wife, and this to defend her against any man who shall assert a right to subject her to his indulgence and his lash." But what touches us above all is to think that the irresistible movement which to-day triumphs in America over such obstacles and such storms has been especially the work of a writer of fiction, and of a man who was hanged. The romance "Uncle Tom's Cabin" all the world has read, and almost all the world admired; but no one supposed a triumphant and lawful revolution would follow from it. The punishment passed more unnoticed than the romance. There are hardly any who took an interest in old John Brown, so odiously calumniated, who finished an adventurous but honest career by expiating on the scaffold the offence of having wished, by inciting a handful of Virginia blacks to revolt, to show to the world the horrors of American slavery. Those who executed him on the 2d December, 1859, thought then that the matter was ended. Nothing was ended save the scandalous impunity of their homicidal rule.

II.

But I am stopped; I hear the murmurs and interruptions of that too numerous crowd—a crowd uninformed and led astray—which passes on, repeating with inexplicable credulity that slavery was never in question in the contest between the north and south; that the war was only brought on by questions of tariff, or of local independence, provincial and municipal. The ignorance of the uninformed who in good faith repeat these puerilities should be pitied; but we cannot sufficiently brand the hypocrisy of those who, cognizant of the facts, dare to deny in the face of Europe that the upholding of slavery has been from the first, to speak truly, the sole motive of the insurrection. You pretend, I would say to them, that slavery is not in question. I affirm that there is no question but of slavery, and I believe ten minutes would be sufficient, before an assemblage of impartial judges, to demonstrate this beyond reply.

Is it true, yes or no, that the raising of human cattle having replaced with profit the traffic interdicted by England, the number of slaves had, in the southern States, quadrupled between 1787 and 1860, and had increased from about 700,000 to nearly 4,000,000? Is it true, yes or no, that the south, far from laboring for the gradual emancipation of this increasing crowd of slaves, has not ceased drawing more closely the meshes of the network of slavery, aggravating it through a penal code which has been justly defined as one of the most terrible monuments of premeditated wickedness which the world has ever witnessed? Is it true, yes or no, that, notoriously, the laws passed by Georgia in 1829, by Alabama and Louisiana in 1830, by Carolina in 1839, and by Virginia in 1849, punished with the penalty of the lash for colored people, of imprisonment and fine for whites, the offence of having given any instruction whatever to free blacks, as well as to enslaved blacks, in order that the blacks, freed so far as concerned the body, should forever remain enslaved in mind? Is it true, yes or no, that, not content with maintaining what it called the *institution of slavery*, the south set at work all means for its propagation; that the conquest and usurpation of Texas in 1835, the violences committed in Kansas and California, and in so many other recently annexed Territories, were exclusively the work of pro-slavery filibusters intoxicated by the vision of a vast empire founded on slavery, which would spread, according to the language of their orators, from the tomb of Washington to the halls of the Montezumas? Is it true, yes or no, that the rupture, *exclusively* prepared by the ever-increasing exactions of the south in regard to the pursuit of fugitive slaves, *exclusively* provoked by the aggression of the south, having at last broke out, was not justified, in the official manifestoes of the Confederate States, upon considerations borrowed exclusively from the danger which, according to them, the maintenance of slavery incurred? Is it true, yes or no, that the hostility of the north against slavery was the *only* complaint made in the manifesto of South Carolina on the 20th December, 1860; in that of Alabama of the 11th January, 1861; in that of Texas of the 1st February, 1861; in that of Virginia of 17th April, 1861, and without there being in any of those documents a single word, not a single word, on disputes about tariffs or any other industrial or political question? Is it true, yes or no, that in the final debate which immediately preceded the

rupture, in the minutes of the committee of thirty-three which met from the 11th of December, 1860, to the 14th of January, 1861, there was not a word, a single word, on tariffs or imposts, and that all turned there solely on the maintenance and guarantees of slavery? Is it true, yes or no, that the ultimatum presented by Jefferson Davis in the name of the southern States demanded, formally, that property *in* man *by* man, *property in slaves*, should be assimilated throughout the extent of the United States to any other property, and be declared inviolable? Is it true, yes or no, that in the new constitution which the Confederate States have given themselves, after the rupture was consummated, there are three clauses expressly and solemnly designed for sanctioning and perpetuating slavery? Is it true, yes or no, that the insurrection has closely followed the frontier lines of slavery; that its intensity has borne exact proportion to the intensity of slavery therein; that, for example, in Virginia, in the principal and most known of the Confederate States, all the portion of the State where landed wealth was based on slave-breeding took up arms, while that portion where agriculture was pursued by free labor took scarce any part in the war? Is it true, yes or no, that since the beginning of the war and after their first successes, the language publicly and officially held by southern orators and writers proclaimed more than ever the absolute necessity and the eternal lawfulness of slavery? That a hundred ministers of different sects, gathered in conference at the capital of the new confederacy, Richmond, declared that the abolition of slavery was an usurpation committed in detriment to the plans of God; that the Richmond Inquirer, the Moniteur of the confederacy, of the 28th of May, 1863, printed these words: "For the three maxims of the republican motto, liberty, equality, fraternity, we expressly mean to substitute slavery, subordination, and the government. There are races born to serve, as there are races born to command. Our confederacy is a mission sent by God to re-establish these truths among the nations?" That another Virginia journal, the Southside Democrat, expresses itself in terms which recall language we have heard too often since 1848: "We detest all that bears the epithet of free, even to, and comprising therein, free blacks; we detest free labor, free association, free thought, free will, free schools?" In fine, is it true, yes or no, that the vice-president of the new confederacy, Stephens, in his speech on the 21st of March, 1861, at Savannah, thus explained why it is that he follows the end and aim of that confederacy: "Our constitution has settled for all time the peculiar institution which has been the immediate cause of the rupture and of the revolution; it declares that African slavery as it exists among us is the condition proper for the black amid our civilization. Our government is founded on this great moral and physical truth, that the black is not the equal of the white, and that slavery is his natural condition. Our confederacy is thus constituted on a basis in strict conformity with the laws of nature and the decrees of Providence. It is by conforming the government and all else to the eternal wisdom of the laws of the Creator that we best serve humanity. Therefore, we have made the stone which our first builders rejected the corner-stone of our new edifice?"

These hideous blasphemies have been heard by God; recorded in the books of his judgment, they have not long awaited the receipt of the punishment they deserved. The reader will remark the almost absolute identity of the official language of this second personage of the insurrection, with that of the miserable assassin of Lincoln, whose crime I am very far from being willing to impute to the confederates, but who has none the less hoisted their flag, held their principles and their phraseology. In the letter of November, 1864, in which he announces the purpose of risking his life in an attempt on the person of the chief of the abolitionists, he wrote these words: "I regard the slavery of the blacks as one of the greatest blessings for them and for us that God ever accorded to a nation protected by his grace."

We see, then, that the transatlantic pro-slaveryists have left to their partisans in Europe the care of disguising their cause by representing them as strangers to the maintenance of slavery. *They* have scorned this simplicity or this hypocrisy. They have opened their heart to its core, and spoken the truth with dogged eloquence. The disdain which northern people evince, under every circumstance, toward free blacks residing among them is insisted on, and, in support of this, anecdotes, more or less serious, are cited. Suppose they are all true, what will be the result? That in some portion of the northern population morals are not so high as the laws, and that the north has itself had something to expiate. Time alone can bring about the changes desirable in this respect; and time itself will with difficulty produce a thorough fusion of races so distinct. The most thorough negrophilists will probably always say, as did a Frenchman, a friend of the blacks, "We are willing to have them for brothers, but not as our brothers-in-law." Meanwhile, the laws of the north guarantee to the blacks all the rights, all the civil and political liberties which the whites enjoy. And it is to maintain these laws, or rather to modify them in the interest of the blacks, to snatch some poor fugitive blacks from the bolts and bars of their masters, that the north has run the risks of a terrible war which has brought it within a hand's breadth of destruction. Besides, if the negroes are so ill treated, so unhappy at the north, how happens it we have never heard of a single black who wished to leave the north for the south, whilst every day we see southern slaves flying northward, and that, to stop them and carry them back to the self-styled paradise of negroes, the odious laws against fugitives which brought on the civil war, the providential destruction of the *peculiar institution*, were necessary. The whole may, then, be resolved into two simple questions. If, in the war just ended, the south had been victorious, can it be supposed that slavery would have been abolished by the conquerors? No;

the most audacious would not dare to maintain that. But it is the north which has prevailed, and has not this conqueror decreed abolition, and is he not resolved to maintain it? Yes; that is enough to settle the question in the view of candid men. What must be admitted is, that at the beginning of the war abolition was not in the northern programme. Immediate and absolute emancipation was not resolved on until the progress of events, and, above all, the imprudent arrogance of the south, intoxicated by its first victories, made it clear to all eyes that the maintenance of slavery was the source of the political and social evil which the civil war had revealed in all its intensity. Therefore, it is in this we must admire the direct, mysterious, and unforeseen action of Providence. It has caused civil war to end in a result which no one dreamed of in the beginning; it has used even the hands of the offenders to provoke and render necessary the chastisement which was due to them.

Yes, it is in this that we should reverence the hand of God. How, not recognize it amid this wonderful concurrence of circumstances, where everything reveals a direction of human affairs superior to all the calculations and all the purposes of man?

If the southern people had acted with moderation or common prudence, slavery would be still existing, and perhaps would have endured still for centuries. The north has never pretended to impose emancipation, immediate, or even gradual, on the south. Far from it; the north had made excessive concessions to the south, concession even culpable, in voting for and giving effect to a law for the extradition of fugitives. No condition, no compromise, was too much for it.

It is well enough known that it was not the north which began the war; it is known that it has only maintained it in self-defence. With the exception of Brown alone, the most ardent of northern abolitionists had never employed or called in the aid of other arms than persuasion, the pulpit, the press, pacific, moral, and intellectual propagandisms. The people of the south, on the contrary, have always appealed to force, to violence, to war. Even before the war they everywhere took the initiative in acts of violence. Let us repeat it, they only had need of a very moderate dose of prudence to assure indefinite duration to their crime. They would not have it so. They have always pushed everything to extremes. When the Missouri compromise, in 1820, traced across the soil of the great republic a line of demarcation between slavery and freedom, in guaranteeing to them south of that line the peaceable possession of this shameful property, that did not satisfy them. In 1850 they exacted and obtained that atrocious law which authorized the pursuit of fugitive slaves into free States. Even that sufficed them not. They needed to obtain, moreover, in 1859, through the famous Dred Scott suit, a decree of the Supreme Court which recognized in every owner of slaves the right to transport his slaves throughout the extent of the territory of the republic. In gaining that famous suit they have, thank God, lost slavery. Blinded by their avaricious egoism, they have themselves fallen into the abyss. By force of exactions and of violences they ended by compelling their too facile, their too complaisant fellow-citizens, to make head against them and crush them. They notoriously prepared, boldly announced, and spontaneously declared the civil war of which they have become the victims. From 1856, the time of the contested election between Frémont and Buchanan, they announced publicly that if the abolitionist Frémont were elected the Union would not endure an hour after his inauguration. During the four years' presidency of their candidate, Buchanan, they substituted conspiracy for provocation. Masters of the government, having for Secretary of War of the United States the same Jefferson Davis who has since been president of the insurgent confederacy, they had everything prepared to secure a disloyal advantage in the future strife by confiding the command of the fortresses and arsenals of the republic to pro-slavery officers. Thence their first success, which so singularly led astray and deceived European opinion. The 6th of November, 1860, the designation of electors charged to elect a new President of the republic announced that for the first time a republican, or, in other words, an abolitionist, would become the chief of the executive power. A month afterward, the 20th of December, 1860, before an act or a word from the new power, South Carolina raised the banner of separation, which twelve other States hoisted afterward. During the four months which passed before the installation of Lincoln, the southern States assembled in convention, then in separated confederation, armed the local militia, laid hands on the public money, on the federal funds—at their leisure organized revolt. The admirable Lincoln said to them in his first message of March 4, 1861, "My fellow-citizens, you who are dissatisfied, in your hands, and not in mine, is the choice of civil war. The government will not attack you. There will be no conflict unless you are the aggressors. You have no oath registered in heaven which obliges you to destroy us, whilst I have taken the most solemn oath to preserve, to protect, to defend the Union." To this touching, this generous appeal, the southerners replied by giving the signal for that impious war, in which, by the just judgment of God, they have met the ruin of their dishonored cause.

The American legislature waited not for the conclusion of the war to decree the abolition of crime. On the suggestion of President Lincoln, and by the majority necessary to alter the Constitution of the United States, there was introduced in that Constitution an amendment importing that all voluntary or involuntary servitude should cease to exist in the United States. Lincoln and Congress thus invoke the heavenly blessing on the banners of the Union, and God from the heights of heaven responds to this appeal, to this return to the eternal law. The war, which languished through four years in sad and uncertain alternations

at once changed in character. A new spirit, an invincible spirit, inflamed the generals and soldiery of the north. The march of their arms became irresistible. The fortune of war, capricious thus far, no longer ceased from smiling on this great free people, who came forward to decree the irrevocable enfranchisement of four millions of slaves. The strategy, until then always superior, of the southern chiefs, becomes powerless. The circle of iron formed by the northern forces draws more close, and finally completely shuts in around the hearthstones of the rebellion. That rebellion, once so proud and so strong, totters to its fall. All is in disturbance and confusion around it. At length the day of justice comes; the catastrophe breaks forth: Richmond is taken; the south is crushed. God ratifies the decree of Congress by victory—victory as complete as unforeseen—an irrevocable victory.

Oh, Providence—generous, luminous, ingenious Providence! It was a black regiment that first entered the capital of the insurgents—that Richmond, so long impregnable. These despised blacks, emancipated by victory, march at the head of the liberating army. They are greeted by the acclamations of their brethren, the black slaves they come to deliver and raise to their level. Are they going to avenge the wrongs of ages done to their race and to themselves? Are they going to allay, at the cost of white men and white women, their resentment of crimes and infamies, inseparable from slavery, which their fathers and their brothers, their sisters and their mothers, were so long subject to? No, no! For the fulness of happiness and of honor, these slaves of yesterday penetrated the capital of the slaveholders, took possession of it, became and remained its masters, and not a shadow of excess, not a shadow of reprisal, occurred to tarnish their victory. I attest the story. The sun never shone on a grander or more consoling spectacle.

III.

Is there need, after all that precedes, to refute at length the pretence set up by the apologists of the south, of seeing in their clients the representatives of federal law, of the cause of weak States, and even of that decentralization which begins to find favor in the bosom of European democracy? I declare for myself that were this pretence well founded; if, as one day was said by the secretary for foreign affairs of England, Earl Russell, with his proverbial imprudence, if it was true that the south fought for *independence*, and the north for *domination*, the south would have a partisan more decided, more sympathizing than myself, I am convinced that the friends and supporters of liberty should favor throughout the world the cause of the weak States so recently and nobly defended by Mr. Thiers in the legislative body. The true greatness of a people is measured, not by the extent of its territory or the sum of its population, but by its liberty and its morality. But history unhappily demonstrates that, with the single exception of England, the liberty of nations decreases and perishes in the direct ratio of the increase of their territory and population. Intelligence and public morality too often follow the same proportion. I wish and hope the United States will give, like England, a fresh contradiction to the cruel result of the teachings of the past, and will show that liberty can co-exist with material greatness. But, at the risk of shocking those among Americans with whom I sympathize the most, I avow that I fear for them the perils of centralization, of unity and indivisibility, which are the natural basis of monarchic or military despotism. While reserving every question of right, and without approving any rebellion, I would look upon not only without alarm and without regret, but with confidence and satisfaction, the division of the immense extent of the existing republic into several States of unequal extent, but equally free, equally republican, equally Christian. American liberty thus split up into several homes of life, of thought, and of action, would possess far different guarantees of duration, and would only better exercise over the rest of the world an influence as fruitful and salutary as that of the immortal lesser states of ancient Greece, or of the Christian and municipal republics of the middle ages.

But there are some things that speak more loudly to every true heart than the experiences of the historian, or the distrusts and partialities of the politician; it is justice, it is humanity. Is it to defend justice and humanity that the southern States broke the federal tie which incorporated them with the great republic? No, certainly; it was to trample under foot the one and the other. In default of public law, of natural law, had they at least a right or even a legal pretext for insurrection? No! A thousand times no! The primary constitution of the insurgent colonies of 1777 guaranteed the absolute sovereignty of each new State, and confined itself to establishing a federation of independent republics. But the Constitution in force, that made in 1789 by Washington, and by the men "who dared to restrict liberty, because they were sure they would not destroy it," substituted for this collection of sovereignties absolutely independent, one people, one sole and whole people, not centralized and uniform like ours, but composed of several States, but within, as well as without, bound to strict obedience of certain obligations established by the fundamental compact. It was never foreseen nor admitted by any one that this compact could be broken at the will of one only of the contracting parties. No people, no state, no community could exist if each of its members might withdraw at will, and without provocation, from the associated body. While admitting, in all its dangerous extent, the modern ———, such as has been proclaimed on one side and the other in the recent debate on the Roman question, by Mr. Thiers, as well as by Mr. Rouher—that is to say, the right to be well governed; and if not, the right to change one's government, it is still necessary to prove that there has been bad government,

that there has been oppression in such manner as to render the rupture of the social tie more necessary and lawful than its maintenance. Certainly, separation might be lawful, like insurrection, but in certain rare and extreme cases. Has such a case presented itself to the southern States? Evidence, universal conscience, says no, a thousand times no. It is impossible for them or their apologists to produce any proof whatever, a single one, of the slightest attempt made against their independence.

Where are their griefs, their troubles, their sufferings? They may be defied to cite a right violated, a property wasted, a liberty smothered, or even lessened. Yes; which? Is it religion? No! Is it the press? No! Is it association? No! Is it election? No! Education? No! Property? No, not even the property of *man in man*, until now that after three years of revolt and civil war, they have in some sort compelled the lawful and sovereign authorities of the republic to decree its abolition. Nothing, absolutely nothing, in the history of the relations of the north with the south resembles, even in the slightest degree, those violent and oppressive measures which constrained the seven Catholic cantons of Switzerland to form about twenty years ago the *sunderbund*, so unjustly, so cowardly, so miserably crushed in 1847. Nothing, absolutely nothing, has furnished them even with the shadow of a pretext to break the federal tie, and refuse not merely to obey in certain extreme cases, but even to acknowledge the powers lawfully constituted. There has been, thousands of times, reason to say that good care must be taken not to assimilate the States which compose the Union to our existing departments, or even to our ancient provinces. Each of those States has and should have an executive power, and two elective chambers, a magistracy, courts of justice, codes of law, a police, a fiscal administration of its own—in fine, a special constitution, voted for and sanctioned by the people of each State. This is what constitutes the true foundation of American liberty. But, have all these fundamental bases been respected by all the southern States until the war broke out? Yes; it is impossible, absolutely impossible, to deny this. The northern States had neither made nor attempted to make the slightest encroachment on the legislative independence of the southern States, even in respect of slavery, until war had been declared by the south.

But outside of this local and, so to speak, personal soverignty of each State, there is under the Constitution of the United States a general sovereignty personified in the President, the Senate and House of Representatives, which is located at Washington. Have the northern people exercised this general sovereignty to the detriment of southern interest? No, yet once again; and had they so desired they could not have done so, because the south forestalled them by beginning the war before the north had seized the power.

Let us again, in two words, recapitulate the true state of this question so singularly misunderstood or unknown. The southerners, determined, *at any cost*, not merely to maintain but to propagate slavery, had succeeded, with the concurrence of their friends, the domocrats of the north, in securing for more than thirty years the majority in the federal legislature, and the election of the quadrennial President of the republic. The day on which, *for the first time*, by means the most lawful and most regular, by the purely moral movement of public opinion, the majority, elected of representatives of the people and of presidential electors, passed from them, on that day they broke the federal compact and raised the standard of revolt. They became insurgents because they no longer felt themselves to be masters, because they foresaw that perhaps the authorities sprung from the new elections would not only modify property in slaves in the slave States, but the laws which authorized the pursuit of fugitive slaves *into the free States*. So long as, with complicity of the northern democrats, they retained a majority in Congress and had the President on their side, they held the Union to be unassailable. When the wave of public opinion turned against them; when they found that the north would very probably no longer consent to remain the accomplice and instrument of slavery; when for the first time they saw the lawful majority pass over to the side of the republicans, or abolitionists, then, but then only, they declared the Union impossible and took up arms to destroy it. It is absolutely just the same as if the French socialists had drawn the sword in 1848, after the election of Prince Louis Bonaparte to the presidency; or in 1849, after the elections to the legislative assembly. It is also precisely that which those wished to do who were of the conservatory of arts and trades of the 13th June, 1849. We know what France and the world have thought of that enterprise whose authors fell the first victims, and unpitied of any. Let us then dismiss the argument drawn from this pretended zeal of the south against the united despotism of centralization; let us dismiss it to rejoin the argument which pretends to make of slavery a question foreign to the origin of the war. Let them go together to ingulph themselves in those limbos where sleep, buried forever, unavailable lies and refuted sophisms.

IV.

What is most annoying in these sophisms is to see them above all repeated and propagated by the English with an inveteracy which the victory of the north will certainly cool, but which none the less has derogated from their good sense, good faith, and national honor. Nowhere, as is known, has the cause of the north aroused an enmity more profound, more universal, more sustained. It is asked through what rancor of sovereignty dispossessed, through what prejudice of caste, or what family enmity, they have been enabled to forget to such degree their own antecedents, their

traditions, the most inveterate good or bad. With what face can they who strove with all their might against the colonial insurrection which transformed their provinces into sovereign States—they who repressed with inexcusable cruelty the insurrection in Ireland in 1798, and, with a severity excessive, although legitimate, the revolt of the Sepoys in 1858; with what face can they reproach their American cousins for the energy of the measures employed against the insurgents of the south, and the principle even of the war maintained by the constituted authorities of the republic against the aggression of the confederates? But, above all, how can they, abolitionists pre-eminently, they whose susceptibility on the subject of the slave trade gave birth to the right of visit and so many other complications with us, and with all the maritime nations—they who gave with an unheard of disinterestedness the first signal of emancipation of the negro race at the expense of their own West India Islands; how dare they be renegade of their own glory by suspecting, denouncing, decrying the motives which have guided the American abolitionists? How is it they do not perceive that they thus expose themselves to giving a pretext to the very numerous detractors who have accused them of not having undertaken the work of emancipation except as a matter of calculation, and of having renounced it as soon as the speculation turned out badly? There is in this one of those sad mysteries which the history of the greatest nations occasionally presents, and before which posterity stands amazed as much as contemporaries. Let us hope, beside, that the question now is of only momentary aberration, and let us recall to them this bright page in their own history so well written by one of the Americans they calumniate. "Other nations," says Channing, "have acquired imperishable glory in defence of their rights, but there was no example of a nation which, without an interest, and in the midst of the greatest obstacles, espouses the rights of another, the rights of those who have no claim except that they also are human, the rights of those who are the most abased of the human race. Great Britain, under the load of a debt without parallel, with crushing burdens, contracted a fresh debt of one hundred millions of dollars to give liberty, not to Englishmen, but to degraded Africans. It was not an act of policy, it was not the work of statesmen. The Parliament only recorded the edict of the people. The English nation, with one heart, one voice, under one strong Christian impulse, and without distinction of rank, of sex, of party, or of communion, decreed the liberty of the slave. I do not know that history records an act so disinterested, so sublime. In the course of ages the maritime triumphs of England will occupy a space narrower and narrower in the annals of humanity, and this moral triumph will fill therein a wider and a brighter page." At all events, if the cause of the north and of emancipation in America has encountered only adversaries among the governing classes in England, in the native land of Burke and of Wilberforce, it must be admitted that it has there always been openly and energetically sustained by some of its best known orators and political men, and in the first rank by Messrs. Cobden and Bright; and it should especially be remembered that the manufacturing population of Lancashire, and of the great industrial centres, have exhibited lively and persevering sympathies with American abolitionism. But these populations are precisely they that will suffer most from the consequences of the war, which, in favoring the United States, has interrupted the production of cotton. Nothing can be more admirable, however, than the attitude of the English artizans during the whole continuance of this crisis, so fatal to the interest of the English manufactures, which has not yet ended. The labor of the blacks in the United States gave them bread by producing the raw material of that branch of industry out of which they lived. They, nevertheless, have never imagined, never pretended, like some publicists and some preachers, that negroes were intended by Providence to be always slaves, in order to be the purveyors for European industry. Until the balance be readjusted by the introduction of the cotton culture in Egypt, where it has freed and enriched the Fellahs, and in southern Italy, where it has served, in a manner so strangely unforeseen, the interests of Italian unity, the crisis produced by the interruption has perhaps been the most severe that has ever affected European industry. The English workmen have endured this crisis, which still continues, with most magnanimous patience. They have experienced the last extremes of hunger, without any outburst, any disturbance having happened to realize the prophecies of those who had counted on their distress to obtain from England the recognition of the southern States and consolidation of slavery. They have suffered without a murmur, without any display of military force having become needful to restrain or intimidate them, without any public right being suspended, without the slightest restriction of the liberty of the press or of publicly assembling; the millions of hungered and suffering beings have maintained an heroic calm and resignation. Compulsory inaction, distress, and hunger had everywhere taken place in that vast hive of English spinning mills, of work, of ease, of economic progress, and of domestic well being. The profusion of public and substantial aid prodigally given by the disinterested sympathies of their neighbors and their countrymen to these innocent victims of the war in America seemed only as a drop of water in the ocean of this distress. And yet, not only no riot, no public disturbance broke out, but at the numerous meetings, and in the various public notices which marked this crisis, so severe and so prolonged, no symptom of irritation was manifested against the upper classes, or against the government of the country. Enlightened by a good sense which shows the incontestable progress made through the spread of primary instruction since the sanguinary riots of 1819, the workmen in those English districts which constitute the greatest industrial centre of the world readily comprehended that the calamity from which they suffered was not to be imputed to the Queen, nor the

aristocracy, nor the ministry, nor the Parliament, nor to any cause in England, but solely to a great historic crisis, the consequences of which would be favorable to religion and human nature. They continued not only docile to the teachings of reason and patriotism in their attitude in regard to the authorities and other classes in their country, but unshakably faithful in their demonstrations and petitions to Parliament, to their sympathies with the northern States, which represented in their eyes the cause of justice and of liberty. They have thus given the best proof of their aptitude for public life, as well as for the political rights which they claim, and which they cannot fail to obtain, and which must be desired for them, in desiring also the regulated and peaceful admission of the masses to the electoral suffrage may be brought about with the guarantees necessary to prevent intelligence and liberty from succumbing beneath the abused preponderance of numbers.

V.

Let us recapitulate, and come to a conclusion. We maintain that the victory of the north is an event as happy as glorious, and we hoped to have proved it; but should we not have succeeded, none of our readers will deny that it is the most important event of the present day, and that whose consequences are of most vital interest for the world entire.

The American Union is henceforth replaced in the first rank of the great powers of earth. All eyes will henceforth be turned on her; all hearts will be agitated by the destiny in reserve for her; all minds will seek enlightenment from her future. For that future will be more or less ours, and her destiny will perhaps decide our own.

From all that has yet passed in America, from all that is about to pass there in the future, there results for us grave teachings, lessons which it is indispensable to make account of, for, willing or unwilling, we belong to a society irrevocably democratized, and democratic societies resemble each other much more than monarchic or aristocratic societies. It is true that differences are still great between all countries, as well as between all epochs; it is true, above all, thank God, that nations, like individuals, preserve, under all rule, their free will, and remain responsible for their condition. To know how to use this free will in the midst of the impetuous and apparently irresistible current of the tendencies of the times is the great problem. To resolve it, account must first be taken of these tendencies, either to contest, or follow, or direct them according to the dictates of conscience.

The question is, then, in the study of contemporary events; not of preferences, but of teachings. It is not in our power here below to choose between things which please or which displease, but between things that are. I have not to reason here with those who have not done mourning for the political past of the Old World; with those who still dream of a theocratic reconstruction, monarchic or aristocratic, of modern society. I understand all the regrets; I share in more than one; I honor greatly some, in which I do not share. I hold as much as others the religion, perhaps even the superstitution, of the past, but reserving to myself the faculty of distinguishing the past from the future, as of death from life. I will not exult over any ruin, except that of falsehood and wickedness, which it has not been given to me to contemplate. Thus much said, I mean not to offend any, nor even to utter anything but a commonplace, almost trivial because it is so plain, by proving that the modern world has fallen to the lot of democracy, and that there is only a choice between two forms of democracy, but two forms which differ as much as night from day; between democracy disciplined, authoritative, more or less incarnate in a single, all-powerful man; and liberal democracy, where all powers are restrained and controlled by unlimited publicity and by individual liberty; in other words by Cæsarian democracy and American democracy. One might be well pleased not to take either the one or the other. Be it so, that is intelligible. "Delicate people are unfortunate!" But that is no reason why they should become blind and powerless; once again, the choice must be made, and the choice can be only between these two conditions. All the rest are nothing but Utopian fancies, or regrets of the archæologist; fancies and regrets, very respectable perhaps, but perfectly unproductive.

It is well enough known my choice is made, and I suppose it is also made in the same way by those to whom I would now speak. It is to them, therefore, that I present with gladness and with pride the strife which has traversed America, and the victory she has achieved (if this victory continues unstained) as a gage of trust and hope.

The civil war might have made out of American democracy a Cæsarian and military democracy. But the contrary has happened. It remains a liberal and Christian democracy. This is the first great fact which, in the annals of modern democracy, reassures and comforts without reservation, the first which is fit to inspire trust in its future, trust limited, humble, and unassuming, as is becoming all human trust should be, but trust fearless and sincere, as might and should be that of free hearts and clear consciences.

America has just shown, for the first time since the world began, that liberty could be coexistent in a democracy with war, and, moreover, with the almost measureless greatness of a country. This simultaneous existence rests always full of perils and of hazards; but in fine it is possible, it is real, it passes provisionally out of the region of problems into that of facts.

American democracy has its creeds and its morals—Christian creeds, pure and virile morals; it is in that very superior to the greater part of European societies. It professes and practices respect for religious faith, and respect for woman. But above all it practices and maintains liberty in a degree which no nation, except England, has yet been able to attain,

liberty without restriction and without inconsistency; entire liberty, that is to say, domestic liberty not less than political liberty; civil liberty side by side with religious liberty; liberty to devise, with the liberty of the press, liberty of association and of instruction, with the liberty of the tribune. Notwithstanding the rudeness of its attractions, notwithstanding a certain decadence of the moral sense which seems to have shown itself there since the death of Washington, it despises and ignores the odious and ridiculous clogs, the hateful and jealous restrictions which our French democrats associate with their strange liberalism.

Besides, it approaches more nearly than any other contemporary society the object which every human society should propose to itself: it offers and secures to every member of community an active participation in the fruits and benefits of the social union.

The new President (Johnson) has frankly adopted in his first allocution the fundamental doctrine of free and Christian countries: "I believe that government was made for man, and not man for government." In other terms, society is made for man, and not man for society or the state. He has thus laid down the sovereign distinction which separates liberty from absolute power.

Certain it is, that neither want nor immorality are unknown in the great republic. The poison of slavery with which it has been too long infected, the scum which is brought to it by the European emigration from which it is recruited, the dangers and weaknesses belonging to all democracy, aggravated by the untutored rudeness of certain social habits, all that shakes and menaces it, but does not hinder it giving to public order and to property a security, if not complete, at least sufficient, and whose superficial vascillations are a thousand times preferable to the enervating and corrupting peace of despotism.

Certain it is, also, you will never see in the United States, nor in other countries pursuing the same track, effeminate and easy life of the eastern nations, or of southern Europe in the eighteenth century. There will be hardships, difficulties, fatigues, dangers for all and each. This action and this censorship of all the world over all the world, which constitutes the real life and the only efficacious discipline of free nations, draws along with it a thousand cares and sometimes a thousand perils. "The gods," says Montesquieu, in the words of Sylla, "the gods who have given most men a weak ambition, have attached to liberty almost as many evils as to bondage. But whatever be the cost of this noble liberty, it must be paid to the gods." America teaches us how to cure ourselves of this *weak ambition*, without denying any of the principles, any of the conquests of Christian civilization.

That which hurts and disturbs us most, we Europeans, who study America with a desire to read therein the secret of our future, is the system, or rather popular instinct, which keeps at a distance from power, and often even from public life, men the most eminent for talent, for character, and for services rendered. This legal and gradual ostracism, of which the United States have made a sort of habit, is certainly a very great evil. But I hear it said this result is not altogether unknown in certain countries which have nothing in common with American liberty, and where these victims of ostracism have not the same resource of periodic and constitutional changes, still less of weapons offensive and defensive, which guarantees to every citizen of the United States the unrestricted liberty of all. Even under the old time royalty has not St. Simon pointed out to us "the taste to humiliate all," and "the special graces of obscurity and of nothingness" in the eyes of the master? And after all, must we despair of the world because this phenomenon of the humiliation or even the exclusion of the opulent or elevated classes occurs everywhere (except in England) as often as of old, by their own fault as often, and especially in our days, without there being any serious reproach to make to them? This is sad, this is painful, this is unjust; but this is nevertheless too general not to be an historic law, and the consequences of this new law are not always nor everywhere destitute of grandeur.

America astonishes the world by placing at the head of a nation of thirty millions of people men issuing from the humblest grades of society, by confiding to these obscure and inexperienced men armies of a million of soldiers, who, the war ended, return to their homes without any one being induced to see therein a danger to liberty or a resource against it—a man who was first a wood-cutter, then a husbandman, then a boatman, then a lawyer, becomes President of the United States, and directs in this character a war more formidable and above all more legitimate than the wars of Napoleon. A horrible outrage causes his disappearance, and immediately one, formerly a journeyman tailor, replaces him without the shadow of disorder or protest coming to disturb the national mourning. This is strange and novel; but what is there in it that is unfortunate or affrighting? For my part, I see in it a transformation, historic and social, as remarkable and less stormy than that which substituted through all the west the Clovises and the Alarics for the vile prefects of the Roman empire. The laborers become chiefs of a great nation, are a hundred-fold less repugnant to me than the Cæsars with their freedmen and their favorites. I see with an emotion of admiration these proletaries metamorphosed into potentates in nowise bewildered by their elevation. They continue to be prudent, mild, discreet. There is nothing in them which savors of the popular tyrants of other days; nor of those pretended envoys of Providence, who begin by violations of the laws, like Cæsar, and finish in insanity, like Alexander and Napoleon.*

* "Recall to mind that Mr. Thiers, our *illustrious* and *national* historian, has demonstrated, at the end of his great work, the folly which the exercise of full powers substituted in the spirit of Napoleon for the wisdom of his earlier years."

What rest, what comfort, to feel oneself in the presence of worthy men, simple and truthful, in whom power defined and restricted, although immense, has not turned the head nor perverted the heart. Where search for true greatness, if it be not in these plebeian souls, which, disciplined by responsibility and purified by adversity, seem to us to enlarge with their situation and to elevate political even to the heights of moral life?

Dark and sad as her future might be imagined, and were she to be buried to-morrow beneath her triumph, America will not the less have bequeathed to the friends of liberty a never-dying encouragement. Numerous and bitter as may be our own mistakes, legitimate as may be our apprehensions, she has given us somewhat to believe in and to hope for, through ages to come, in the ideal which attracted in the last century our fathers under her banner, the ideal of which they gave the only true programme in 1789, and which can only serve as a bond between the sons of the conquerors and the sons of the victims of the French revolution.

Therefore it is that I have not feared to say that at the present hour the American people, coming out victorious and pure from so redoubtable an experience, will take rank amid the first nations of the earth, which does not mean to say that it can be irreproachable. It has not been so in the past, and nothing announces that it must be so in the future. Side by side with all the virtues and all the great characteristics of the Anglo-Saxon race are only too distinguishable excess and gross faults, cynic and cruel egoism, fierce instincts. Behold her at the moment when these vices and defects are about to encroach on and menace her more than ever. The blindness of pride satisfied, the overweening spirit of triumphant strength, are about to expose her to the vices of power, to the depravity resulting from victory, of which democracies are as much the subjects as dictatorships. She has also much to expiate, because in the interval which has separated the war of independence from the civil war the external policy of the United States has too much resembled the external policy of the Romans or of the English; it has been selfish, iniquitous, violent, even brutal, and characterized by absolute absence of scruples. Mexico on the one hand, on the other the native and independent races, have learned to understand all the cruel consequences of the preponderance of a race eager for gain and born for conquest.

Behold her at the decisive period of her inner life. The question to be demonstrated is whether the American people, like the Roman people at the time of Publicola and Cincinnatus, possesses the spirit of moderation which causes republics to last, or whether, like the contemporaries of the Gracchi, it would open the door which leads to proscriptions and dictatorships.

There is every reason to hope that amid the first rejoicings of victory the republican majority will show itself as generous as resolved, in accordance with the noble speech of Lincoln in his negotiation with the south in January last. May it please God that there be no recourse after the triumph to reprisals, which have been abstained from in the heat of battle, which would also render inexcusable the prompt submission and complete dispersion of the conquered armies. The spirit of revenge would instil in the veins of the great nation a poison more fatal and more inextirpable than that of slavery abolished. Posthumous repressions, confiscations, proscriptions of the Muscovite order against the conquered and prisoners, offences against local franchises, or the sovereign independence of states, would excite universal indignation, and would change all the sympathies of the liberals of Europe against the transatlantic rivals of Mouravieff. To substitute centralization for liberty under pretext of guaranteeing the latter, would be to condemn America to become nothing but a miserable and servile counterfeit presentment of Europe, in place of being our guide and precursor in the right path.

For the rest, notwithstanding all the violence of language, notwithstanding many alarming symptoms, we may still hope that nothing will come of them. Americans will remember as their defender, Burke has said that greatness of soul is the wisest policy, and that littleness of mind does not lead to a great empire. Reconciliation should and must be brought about without humiliation, and consequently without difficulty and without delay, between parties which are not separated by any antipathies, national or religious, of creed or of language. The works and the benefits of peace, the immense industrial commercial and agricultural movement, which war itself has scarcely slackened, will seal anew the Union between north and south. But will not the reconciled belligerents carry abroad the henceforth sterile ardor? Will the warlike spirit, so quickly and so prodigiously developed, suffer itself to be reduced to and restrained within the necessary limits? From these disbanded armies will there not issue bands of adventurers and filibusters, the terror and scourge of the neighboring people? Fearful questions, of which we ardently hope a pacific solution, because our ardent aspirations for the glory and the prosperity of the United States accord with those which every friend of right should entertain for the consolidation of the new Anglo-American confederation, in which our brethren of Canada, brethren of race and religious faith, may act a part so advantageous and so preponderant.

But our solicitudes and apprehensions are much more concentred on the domestic condition of the great republic than on its foreign relations, even much more on the dangers pertinent to all the elements of its Constitution than upon the immediate consequences of the contest which has just terminated. May it never be forgotten that the origin of its noble institutions, of its incomparable liberty, of its invincible energy, goes back to the traditional liberties and the Christian civilization, under the shelter of which the insurgent colonies of 1775 had grown

up. May it acquire the difficult secret of preserving individuals as well as public authority from that subjection to the omnipotence of majorities which so naturally moulds the hearts of men to submit to the absolute power of a single individual. Let us wish for it that susceptibility of conscience, that delicacy, "that chastity of honor," almost always wanting in democratic societies, even when they know how to remain free. Let us wish they may escape, or rather resist, one of their greatest perils, that contempt for ideas, for studies, for intellectual enjoyments, which engenders torpor or drowsiness of spirit in the midst of the noisy yet monotonous agitation of local and personal policy. Let us wish them to renounce, sooner or later, that love for mediocrity, that hatred of natural and legitimate superiority, natural consequence of the passion of equality, which carries into the bosom of democratic assemblies the spirit of the courts and ante-chambers, and there too often reproduces one of the most debasing characteristics of despotism, perfected and popularized by modern civilization. Let us wish that there universal suffrage, more and more clothed with all elective functions, may not condemn the enlightened and superior classes to that discouragement, that political apathy, which ends by excluding them in fact, if it do not in law, from public life; but, above all, that nothing may ever induce the Americans to weaken the federation principle which has made thus far their greatness and their liberty by preserving them from all the shoals on which democracy has made wreck in Europe. To confine the central government to functions strictly necessary, by respecting scrupulously the local liberties of the different States, is the first duty, and above all the first interest, of American statesmen. Assuredly on the day succeeding an unjustifiable rebellion, and a terrible war, undertaken in the name of an abusive and immoral interpretation of the federative principle, of federative law, the temptation to lessen and limit this principle, to tend with flowing sail toward centralizing unity, would be strong with many, but it is only by resisting this temptation and maintaining unshakable fidelity to the national, liberal, and federal tradition of the country that America will continue to be worthy of her glory and of her destiny.

That which mainly reassures us against the dangers which menace the republic, or with which she may menace the world, is the character of the American people—the nation which has learned how to pass through such terrible trials without giving herself a master, without even dreaming of it, has evidently received from Heaven a moral constitution, a political temperament quite different from that of the turbulent and servile races which know not how to secure themselves against their own blunderings but by precipitating themselves from revolution into servitude, and has no refuge or alleviation of the shame and annoyance of their domestic subjection but in foreign adventures.

What gives the best pledge of this national temperament is the personage, truly unique, whom the nation, in full possession of its free will and its natural sympathies, has twice in succession chosen as President. Everything has been said about Abraham Lincoln. He has presented to us in the ripeness of the nineteenth century a fresh example, which is not either a copy or a counterfeit of the calm and worthy from which Washington issued. His glory will not be eclipsed in history even by that of Washington. He honors human nature, not less than the country whose destinies he directed, and whose pacification he brought about with such intelligent moderation. His eulogy is everywhere, and we yield only to the imperious appeal of conscience in joining in it. But it behooves us above all, humble advocates of liberty, whose glorious and victorious champion he has been, to engrave in our souls and seal with our lives this pure and noble memory, to encourage, to console, and to bind us more and more to the laborious duty on which we have voluntarily entered. It behooves us to prove that which the study of this career, so short but so resplendent, brings especially to light, to wit, this combination of rectitude and of kindness, of sagacity and simplicity, of modesty and firm courage, which make of him a type so attaching and so rare a type that no prince, no public man of our age, has equalled or surpassed. This woodcutter become lawyer, then placed at the head of one of the greatest peoples of the earth, has displayed all the virtues of the honest man beside all the qualities of the politician. His head was no more affected than his language. Since his accession to supreme rank, no one can cite of him a single expression of menace or bravado, a single expression vindictive or extravagant. No sovereign, hereditary or elective, has spoken a language more eloquent or more worthy; none has shown more calmness and good temper, more perseverance and magnanimity.

"Let us unite," he wrote to the governor of Missouri on the 20th February last, in pointing out to him the means for pacifying that State, recently submitting but still severely agitated. "Let us meet only to look to the future, without any care for what we have been able to do, say or think about the actual war, or no matter what. Let us pledge one another to harass no man, and to make common cause against any who shall persist in disturbing his neighbor. Thus the old friendship will again spring up in our hearts, because honor and Christian charity will come to our aid."

Honor and Christian charity: is it not that which is most wanting in the action and language of politicians? What can be more touching than to look upon this "rail-splitter," this Illinois husbandman, recalling the inspirations and vital conditions of humanity first to his own people: then, thanks to the prestige with which his death has crowned him, to the whole world, which attentively gathers up his slightest sayings to enlarge the too scanty treasury of moral lessons which the shepherds of men bequeath to posterity. Let us collect

in turn, and seek in these words, especially what bears the stamp of that Christian faith with which he was imbued, and which all the public men of America so simply and naturally confess. Orators and generals, authors and diplomatists, and, let us add quickly, northerners and southerners, without distinction, have the thought of God ever present to them, care to call Him to witness, and the duty of rendering Him public homage always inspires them. Nothing better demonstrates, in contradiction to European revolutionists, that the most energetic and unrestricted development of ideas of institutions and of modern liberties has absolutely nothing in it incompatible with the public profession of Christianity, with the solemn proclamation of gospel truth. Let us listen to his adieus to his neighbors and friends on leaving his modest residence at Springfield, Illinois, to become for the first time President of the United States:

"No one can understand the sadness I feel at this moment of farewell. To these around I owe all that I am. Here I have lived a quarter of a century; here my children were born; here one of them lies buried. I know not whether I shall ever see you again; a duty is imposed on me, greater perhaps than any imposed on any citizen since the days of Washington. Washington never could have succeeded without the help of Divine Providence, in which he ever placed trust. I feel that I cannot succeed without the same assistance, and it is from God that I also look for aid."

Listen to him in his inaugural address on his first presidency, 4th March, 1861: "Intelligence, patriotism, Christianity, and a firm reliance on Him who has never yet forsaken this favored land, are still competent to adjust all our present difficulties."

After four years had passed, and four years of cruel war, which he had done everything to avoid, elected for a second term, let us hear him uttering, the 4th March, 1865, the wonderful language one wearies not of admiring and repeating:

"Neither party expected for the war the magnitude or the duration which it has already attained. Neither anticipated that the *cause* of the conflict might cease with, or even before the conflict itself should cease. Each looked for an easier triumph, and a result less fundamental and astounding. Both read the same Bible, and pray to the same God; and each invokes His aid against the other. It may seem strange that any men should dare to ask a just God's assistance in wringing their bread from the sweat of other men's faces; but let us judge not, that we be not judged. The prayers of both could not be answered—that of neither has been answered fully. The Almighty has His own purposes. 'Woe unto the world because of offences! for it must needs be that offences come; but woe to that man by whom the offence cometh.' If we shall suppose that American slavery is one of those offences which, in the providence of God, must needs come, but which, having continued through His appointed time, He now wills to remove, and that He gives to both north and south this terrible war, as the woe due to those by whom the offence came, shall we discern therein any departure from those divine attributes which the believers in a living God always ascribe to Him? Fondly do we hope—fervently do we pray—that this mighty scourge of war may speedily pass away. Yet, if God wills that it continue until all the wealth piled by the bondman's two hundred and fifty years of unrequited toil shall be sunk, and until every drop of blood drawn with the lash shall be paid by another drawn with the sword, as was said three thousand years ago, so still it must be said, 'The judgments of the Lord are true and righteous altogether.'

"With malice toward none; with charity for all; with firmness in the right, as God gives us to see the right, let us strive on to finish the work we are in: to bind up the nation's wounds; to care for him who shall have borne the battle, and for his widow and his orphan—to do all which may achieve and cherish a just and a lasting peace among ourselves and with all nations."

Listen to the last public remarks pronounced by him three days before his death in a speech on Louisiana, April 11, 1865:

"We are assembled this evening not in sadness, but in the joy of our hearts. The evacuation of Petersburg and Richmond, and the capitulation of the main army of the insurgents, authorizes the hope of a just peace. Our gratification at these events should not be restrained, but in these circumstances He from whom all blessings flow must not be forgotten. A proclamation for a day of national thanksgiving is purposed, and will in due time be promulgated. Let us not be forgetful of those who, undertaking the severest duties, have gained for us this cause for rejoicing, and deserve special honor. I have been to the front of the army, and have myself had the pleasure of sending to you a good share of good news, but neither the plan, its execution, nor its honors belong to me. The whole belong to General Grant, to the skill of his officers, and the valor of his soldiers."

You there see—and it is always so about this great, honest man—the same humility, the same simplicity, the same charity. I do not believe that since Saint Louis any among the princes and the great of the earth have uttered better words. Listen now to Mr. Stanton, Secretary of War, announcing to the people the news of the victory:

"Friends and fellow-citizens: In this great triumph my heart and yours are penetrated with gratitude to Almighty God for the deliverance of this nation. Our gratitude is due to the President, to the army and to the navy, to the brave officers and soldiers who have exposed their lives on the battle-field, and drenched the ground with their blood; our pity and our aid are due to the wounded and suffering. Let us offer our humble thanksgiv-

ings to Divine Providence for its care for us; let us supplicate it to continue to direct us in our duties, as it has led us to victory, and to help us to consolidate the foundations of the republic, cemented as they are with blood, that the republic may endure forever. Nor let us forget the millions of toiling men of foreign countries who, through this trial, have given us their sympathies, their support, and their prayers, and let us invite them to share with us in our triumph. That done, let us trust ourselves through the future to that great God who will guide us in the future as he has guided us to this time in his infinite goodness."

Listen to his improvised successor in his inaugural address:

"The working and the honest support of the great principles of free government have been the objects of my whole life. The duties of head of the state devolve on me; I will discharge them as I best may; God alone controls the result."

Listen, on the other hand, to his rival, Jefferson Davis, president of the rebel confederacy, in his late message of March 13, 1865:

"Let us learn to rise above every egotistic consideration; let us learn how to make for the country the sacrifice of all that belongs to us; let us learn to bow humbly to the will of God, and invoke with reverence the blessings of our Heavenly Father, to the end that, as he protected our fathers in a contest similar to our own, He may deign to permit us to defend our homes and our altars, and to maintain inviolate the political rights of which we are the inheritors."

Listen, again, to the gallant Lee, general-in-chief of the insurgent army, in his farewell proclamation, after the capitulation of the 10th of April:

"Soldiers, you will carry with you the satisfaction of duty faithfully performed; and I sincerely pray that a merciful God may grant you his blessing, and extend his protection over you. With an admiration without bounds of your devotion to your country, and with great remembrance of your kind and generous consideration toward me, I make you my affectionate farewell.

"R. E. LEE, *General.*"

Listen, in fine, to the representative of the United States in France, Mr. Bigelow, responding to an address of his countrymen at Paris on the 11th of May:

"This blow has fallen with peculiar severity, and I thank you for the faithful eloquence with which you have interpreted our common sorrow.

"But no crime was ever committed that was not an involuntary homage to virtue. The war between the principles of good and evil is always waging; and if the Lamb that took away the sins of the world had to bear his testimony upon the cross, why should he who proclaimed deliverance to a race of bondmen be safe from the treacherous hand of the assassin? How more appropriately could our great national reproach ultimate itself? Was it more than historic justice to mark the grave of chattel slavery in the United States by a crime that was never perpetrated, whatever the pretence, except in the interest of slavery?

"Those who, like myself, are accustomed to search for the hand of God in all the phenomena of human life, cannot but feel as, after much reflection, I am led to feel, that our people were never nearer to Him than at the dreadful moment when we seemed, humanly speaking, most deserted. What revelations that crime has made."

The nation whose representatives and civil and military chiefs speak such language in such a crisis is a great nation, and, I add, a great Christian nation. I know not whether the eye of God, casting a regard down to earth, would find there, in the times in which we live, a sight more worthy of him.

All that, some will say, does not pass beyond a vague and imperfect Christianism—a Christianism too close upon Deism, like that of Washington. That may be true, but, as the Bishop of Orleans says, we are still far from this in Europe. Vague and imperfect as it may be, it appears that the most scrupulous and exacting of Catholics can nevertheless admire and respect it, for Pope Pius 9th has not disdained to contribute to the monument of Washington.

If it be just to apply in politics the rule laid down by our Lord for a spiritual life, "By their fruits ye may know them," I think we may look without much inquietude to the future of the United States, and of all nations which, placed under the same conditions, shall know how to march in the same path. The social constitution which produces a Lincoln, and others like him, is a good tree, an excellent tree, whose sure fruits leave nothing to envy in the products of any monarchy or of any aristocracy. I know very well there are other fruits more pungent and less savory; but those mentioned suffice to justify the trust and hope which I feel, and which I would inspire in all who wish to leave, not merely their bones, as Lacordaire said, but their heart and their recollections on the pleasant side of things.

Let us, then, turn away our vision from all that in the Old World draws us by a too natural descent towards discouragement, depression and apathy, and let us seek beyond the Atlantic to breathe the inspiration of a better future. Those who, like me, have grown gray in the faith in a future of liberty, and the necessity of its alliance with religion, must without cease recall the fine language of Tocqueville and of Madame Swetchince: "The effort, outside of self, and more still the effort within, is more necessary in proportion as one advances in age than in youth. I compare man in this world to a traveller, who approaches without stopping a cold and colder climate, and is obliged to make more effort the further he goes. The great malady of his soul is the cold, and to combat this redoubtable evil he must not only keep the active movement of his spirit on the alert by work, but also by friction with his fellow beings

in the affairs of the world. It is especially in his old age that he is no longer permitted to live on what he has already acquired, but must make an effort to achieve more; and in place of reposing on ideas on which he would soon become drowsy and oblivious, must, without ceasing, place himself in contact and in contest with ideas that are adopted by what is suggested by the state of society and of opinions at the period that has been reached."

All this is true, not only of old people but of old parties and also of old creeds. Ours is the oldest in the world. It is its august privilege, it is also its glory and its strength. But that this strength in its application to public and private life may not fade, may not waste itself on vain chimeras, it must be unceasingly refreshed in the living waters of the time in which God has given us life, in the current of the emotions of the legitimate aspirations of those whom God has given us for brethren. Let us, then, make advantage of the fact that the Almighty has vouchsafed to us to witness this great triumph of liberty, of justice, and of the Gospel; of this great defeat of wickedness, of egoism, of tyranny. Let us thank him for having given to Christian America vigor enough and virtue enough to maintain so gloriously the promises of her youth. Let us adore his goodness, who has spared us the shame and sorrow of witnessing the miserable miscarriage of the great hope of modern humanity.

CH. DE MONTALEMBERT.

Mr. Bigelow to Mr. Seward.

[With three enclosures.]

No. 111.] LEGATION OF THE UNITED STATES,
Paris, June 1, 1865.

SIR: I have the honor to transmit herewith a note which I handed to his excellency Monsieur Drouyn de Lhuys on the 29th ultimo, and a copy, with translation, of a reply to it, which he handed to me yesterday. They are severally numbered enclosures 1, 2, and 3.

In his note of yesterday you will find an avowal of his readiness to withdraw from the confederates the quality of belligerent. This, I presume, is intended to be regarded as a practical withdrawal of the declaration of neutrality of June, 1861.

I was informed by Lord Cowley, whom I met this morning at the funeral of Marshal Magnan, that his government would probably make a like communication to our government to-day or to-morrow. From this I infer, what I have supposed from the beginning was the case, that neither government takes a step in shaping its policy towards the United States except in conjunction with the other.

I suppose the action taken is sufficiently decisive for all practical purposes, though the declaration of Mr. Drouyn de Lhuys leaves something to be desired in that respect. At all events, I shall leave the subject where it is until I hear from you after the receipt of this.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to M. Drouyn de Lhuys.

[Enclosure No. 1.]

LEGATION OF THE UNITED STATES,
Paris, May 29, 1865.

SIR: I have received the note which your excellency did me the honor to address to me on the 20th instant, in reply to mine of the 10th, in reference to the imperial declaration of neutrality of the 10th of June, 1861.

After reaffirming your confidence in the justice and propriety of that declaration, under the circumstances in which it had its origin, your excellency proceeds to say that, in your opinion, measures taken in consequence of a state of manifest and declared war ought not to be persisted in when the situation which rendered them necessary has ceased to exist; that every

thing indicated that the time was at hand when the federal government could relinquish the attitude which the necessities of war imposed upon it, and that as soon as you were informed that the federal government renounced the exercise of the right of visit and capture, there would be no further question of belligerency with the United States; that you would then hasten to recognize the fact, and would be happy to suppress without delay all the restrictions which a state of war had imposed upon your relations with the United States, and to offer in your ports the most complete hospitality to our ships. You are pleased to add, that in the actual state of affairs the government of his Majesty no longer regards as necessary the provision which limited the stay of vessels belonging to the navy of the United Seates in the ports of France to 24 hours. and that orders to that effect had already been issued by the minister of marine.

In regard to so much of your excellency's note as relates to the propriety and justice of the imperial declaration of neutrality of the 10th of June, 1861, I may now repeat, what I had the honor to state in my note of the 10th instant, that I have no occasion nor intention, at present, to make it the subject of discussion. It is proper, however, to avoid any possible future misunderstanding, that I should invite your attention to one phrase upon that topic in your note of the 20th instant which is liable to give an impression which the history of the late insurrection, as I understand it, will not sustain. Your excellency speaks of measures taken by his Majesty's government "in consequence of a state of war, manifest and declared." Without presuming to know precisely what meaning you attach to the word "declared," in that relation, I deem it my duty to say, that this word has a technical signification in military and political science, to which it would not be historically entitled in the sentence I have quoted. I am not aware that the government of the United States has issued any declaration of war to which your excellency's remark could be properly applicable.

I regret that the withdrawal of the declaration of neutrality of the 10th of June, 1861, should have been offered only upon conditions of which I am unable to see the propriety. Your excellency practically admits that there is nothing in the military condition of the United States which requires the further concession of belligerent rights to the insurgents, for you are ready to withdraw that concession the moment we renounce our pretensions to visit and search neutral ships. I respectfully submit that the propriety or impropriety of our pretensions to visit neutral ships is a question between us and any neutral power that we may aggrieve, and the decision, whatever it might be, would in no respect affect the question of belligerency in the United States. The visiting of a neutral ship by a United States cruiser would not, of itself, and in the absence of other military demonstrations, constitute evidence of a state of war between the different States of the American Union. The neglect to formally renounce such pretensions, therefore, cannot justify a continued recognition of a state of belligerency, for which no other pretext can be assigned. To concede that the visiting of a neutral ship established the belligerent right of the visitor, would deprive neutral powers of their legitimate remedies against an abuse of the right of visit.

Besides, the United States government, in applying for a repeal of the declaration of June, 1861, abandoned any of the rights of a belligerent which it is presumed to have claimed, and became directly responsible for anything it might do in the character of a belligerent.

If, after the withdrawal of the imperial declaration, it were to visit and search a neutral vessel, it would at once expose itself to reprisals, the same as for any other violation of international comity. To require of a non-belligerent a renunciation of the right to visit a neutral vessel is, therefore, equivalent to requiring a renunciation of the right to make war upon a neutral power—a contradiction in terms. Every visitation of a neutral vessel is a distinct and substantive act, deriving no justification from any previous visitation, or from any previous necessity, and which nothing but a grave public danger can excuse. The danger ceasing, the right ceases with it, whether the privileges incident to a pre-existing state of belligerency had been renounced or not.

Were this otherwise, and were the principles upon which your excellency proposes to act accepted, the United States may continue to visit neutral ships, and avail herself of all the other privileges of a belligerent with impunity, so long as she omits formally to renounce them; a proposition, to state which is to expose its inadmissibility. No neutral power can afford to relinquish the right of determining for itself whether another nation claiming them is entitled to the privileges of a belligerent. Nor can I remember an instance of any nation ever making such a renunciation. Persuaded as I am of the correctness of these views, I will not attempt to disguise the disappointment I felt on perusing your excellency's reply to my communication of the 10th, nor am I yet prepared to abandon the hope that, in view of recent intelligence from America, announcing the capture of the chief fomenter and official head of the late insurrection, with his fugitive companions, and their delivery to the hands of justice, your excellency will see an additional motive for withdrawing a declaration which can serve no purpose now but to chill the relations of two nations whose interests and traditions are constantly inviting them to the cultivation of the most cordial friendship.

I beg to avail myself of this occasion to renew to your excellency the assurances of the very high consideration with which I have the honor to be, your excellency's very obedient and very humble servant,

JOHN BIGELOW.

His Excellency Monsieur DOUYN DE LHUYS,
Minister of Foreign Affairs.

[Enclosure No. 3.—Translation of No. 2.]

Mr. Drouyn de Lhuys to Mr. Bigelow.

PARIS, *May* 31, 1865.

SIR: I have the honor to acknowledge the receipt of the letter which you addressed to me the day before yesterday, in reply to my communication of the 20th instant.

The observations which my last note suggested to you, turn, for the most part, on certain theoretical matters, the discussion of which between us does not appear to me either opportune or serviceable to the end which both of us have in view. I think that without entering into these considerations it is proper, in dealing with the question before us, to adhere to the reality of facts.

We proclaimed our neutrality four years ago, because we were in presence of manifest hostilities; besides, the federal government exercised towards neutrals the rights of war, and impliedly recognized the belligerent character of the confederates.

In my letter of the 20th of May I acknowledged the great and decisive change which had been brought about in the situation of the two parties respectively, by the military operations of the last two months. We have already been able, in consequence of that change, to give an assurance of our good will towards the United States, by immediately withdrawing the regulations which limited the stay of federal ships-of-war in the ports of the empire. On acquainting you with that resolution, I informed you of our intention to revoke, without delay, all the other restrictions required by our declaration of neutrality, so soon as we knew that the government of the Union, ceasing to regard itself as belligerent, no longer exercised the right of search and capture with respect to neutral ships; for it would be inconsistent to retain the rights of war, while claiming from us the abandonment of our neutrality.

Therefore, sir, I have read with much satisfaction your letter of the 29th of May, from which I may infer, that the impressions of the federal government are such as we should desire to see them from a practical point in view. You tell me, in substance, "that the United States government, in applying for a repeal of the declaration of June, 1861, abandoned all of the rights of a belligerent which it is presumed to have claimed, and became directly responsible for anything it might do in the character of a belligerent." You then add—"If after the withdrawal of the imperial declaration it were to visit and search a neutral vessel, it would at once expose itself to reprisals, the same as for any other violation of international comity."

These declarations, sir, respond exactly to what I have had the honor of requiring of you, and bring us to agree upon the object we have in view. We have, therefore, no longer any objection to withdraw from the confederates the quality of belligerents; and I am happy to congratulate you upon the opportunity which presents itself to revive the old sympathies of the two peoples whose interests and traditions constantly invite them to cultivate the most cordial friendship.

Receive, sir, the assurances of the high consideration with which I have the honor to be, your very humble and obedient servant,

DROUYN DE LHUYS.

Monsieur BIGELOW,
Minister of the United States at Paris.

Mr. Hunter to Mr. Bigelow.

No. 161.] DEPARTMENT OF STATE,
Washington, June 5, 1865.

SIR: I have received your despatch of the 19th ultimo, No. 96, written from Liverpool, enclosing a translation of Mr. Cochin's letter to yourself transmitting an address to the President of the United States emanating from a number of gentlemen in France who have organized themselves under the title of the French Committee of Emancipation. Your proposed acknowledgment thereof is approved, and I will thank you to convey to them an expression of the gratification with which the President received this evidence of the earnest desire of so respectable a body of French citizens to aid the people of the United States in their work of amelioration of the condition of that race who have suffered so long all of the evils of slavery.

With reference to the request of Mr. Cochin to be supplied with such documents as are of a nature to render their good wishes available, I enclose a

printed copy of the third annual report of the National Freedmen's Relief Association of the District of Columbia, which you may transmit, if you think proper, to Mr. Cochin,

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Bigelow.

No. 162.] DEPARTMENT OF STATE,
Washington, June 5, 1865,

SIR: Your despatch No. 91, of the 11th ultimo, with its accompanying copy of a note which you addressed to Mr. Drouyn de Lhuys, relative to the policy of France in according to the insurgents belligerent rights, has been received, and, in reply, I have to inform you that the manner in which you treated the subject in your communication is approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

[With five enclosures.]

No. 116.] LEGATION OF THE UNITED STATES,
Paris, June 9, 1865.

SIR: I have the honor to transmit herewith a communication from the minister of foreign affairs, of which enclosure No. 1 is a copy and enclosure No. 2 a translation, announcing the measures taken by this government in execution of its intention to withdraw from the so-called Confederate States of America the quality of belligerents accorded to them by the declaration of June, 1861.

In connexion with this subject, I invite your attention to a paragraph from the bulletin of the Moniteur of the 8th instant, of which enclosure No. 3 is a copy.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

P. S. 2 p. m.—Since writing the foregoing I have received a note from his excellency the minister of foreign affairs, of which the following is an extract:

[Translation.]

"I send you annexed a copy of instructions from the minister of marine, which you may send to your government.

"Wholly yours, DROUYN DE LHUYS."

The annexed enclosure No. 4 is a copy of these instructions, and No. 5 is a translation.

Yours, very respectfully,

JOHN BIGELOW.

[Enclosure No. 2.—Translation of No. 1.]

Mr. Drouyn de Lhuys to Mr. Bigelow.

PARIS, *June* 8, 1865.

SIR: I have had the honor to inform you, under date of May 31, that after the communication which you had the kindness to address to me on the 29th, we had no longer any objection to withdrawing the quality of belligerents from the confederates. We have had to consider since then the bearing of this resolution with regard to their war-ships. I deem it my duty now to inform you of the measures taken by us to insure the efficient and equitable carrying out of that resolution.

M. the minister of marine, under date of the 5th instant, announced to the competent authorities in the ports of the empire and of its colonies that the southern States no longer presenting, in our opinion, the character of belligerents, their flag could no more be unfurled or recognized in French waters. Consequently, no vessel bearing that flag can henceforth be permitted to enter them, and it will be necessary to demand the immediate departure of all confederate war-vessels which may yet be staying in our ports in consequence of our declaration of neutrality, as soon as the instructions of M. the minister of marine reach there. It is just, however, that these vessels should not be deprived of the benefit of the regulation in force at the time of their arrival in case a United States ship had been simultaneously admitted into port. Hence, for the last time, an interval of twenty-four hours should elapse between the departure of the confederate and that of the United States ship which should chance be together in the same French port.

Accept assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

DROUYN DE LHUYS.

Mr. BIGELOW,
Minister of the United States at Paris.

[Enclosure No. 3.—Translation.]

[From the Moniteur of June 8, 1865.]

The Evening Moniteur, in its weekly summary of foreign policy, announces that the resolution by which the French government revoked the order in virtue whereof the stay of federal vessels-of-war was limited to twenty-four hours, save in case of stress, has been made effective by the definitive withdrawal of the declaration of neutrality of June, 1861. The imperial government, as soon as it had learned the capitulation of the principal southern armies, had manifested its intention to withdraw that declaration; but, before yielding to its inclination, it had to assure itself that neutral vessels would cease to be visited by the United States navy. In fact, neutrality could not be renounced if the usage of the laws of war against foreign commerce was continued.

On its side, the London Gazette has published a letter, addressed by Earl Russell to the lords of the admiralty, to announce to them that the English government, in consequence of the re-establishment of peace throughout the territory in possession of North America before the commencement of the war, no longer recognizes the character of belligerents in the confederates. The various authorities of her Majesty in all the ports, roadsteads and waters belonging to her, either within the United Kingdom or beyond sea, are instructed to refuse entry into port to any vessel-of-war under the confederate flag, and not any longer to suffer the presence of those which should happen to be there at the time of this declaration.

[Enclosure No. 5.—Translation of No. 4.]

Instructions from the Minister of Marine.

PARIS, *June* 5, 1865.

SIR: In proclaiming by its declaration of June 10, 1861, the rules of neutrality which it meant to observe between the belligerents of the divers States of North America, the government of the Emperor recognized a pre-existing fact, namely, that of a struggle going on between two portions of the territory of the United States; a struggle in which both sides observed the rules of war, as well in their treatment and exchange of prisoners as in the rights exercised towards neutral vessels.

Now, after the events which have occurred, the position is entirely changed. The minister of the United States near the government of the Emperor has stated that the cabinet at Washington consider the war ended, and abandon all pretension to the right of searching neutral vessels as practiced during war.

Under these circumstances the government of the Emperor does not consider it its duty any longer to recognize belligerents in the States of North America. In consequence, ships presenting themselves as confederate vessels can no longer be received in the continental or colonial ports, nor in the territorial waters of the empire; and the confederate flag can no longer be unfurled in our ports.

Such of these vessels as may happen to be in our ports when the present despatch reaches you, shall have to leave; but with regard to them, you will, for the last time, observe the rule repeated in my circular of February 5, 1864, according to which an interval of twenty-four hours at least shall elapse between the departure of any vessel-of-war of one belligerent and the departure of any vessel-of-war of the other.

Accept, &c., &c.

Mr. Bigelow to Mr. Seward.

No. 118.] LEGATION OF THE UNITED STATES,
Paris, June 15, 1865.

SIR: In pursuance of your instructions I availed myself of an opportunity to speak with the minister of foreign affairs in reference to the rejection, by the minister of agriculture, commerce, and public works, of the application made by Mr. Zumpstein, on behalf of the American Emigration Company, for leave to enter into certain engagements with emigrants for their transport from Havre to the United States. His excellency expressed some surprise that such an application had been denied, and requested me to send him the letter from Mr. Zumpstein, which I communicated to the minister of agriculture, commerce, and public works, in March last, a copy of which may be found in my despatch No. 60.

I promptly sent to the foreign office a copy of Mr. Zumpstein's communication, with a note, of which enclosure No. 1 is a copy.

On the 14th instant I received a note from Mr. Drouyn de Lhuys, of which enclosure No. 2 is a copy, removing all obstacles to the operations of the American Emigration Company of a serious character.

I propose to communicate a copy of the reply of Monsieur Drouyn de Lhuys to Mr. Zumpstein without delay.

If Mr. Zumpstein were instructed to keep me advised of what he is doing, from time to time, I think it would be advantageous both to the company and to the government.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c. &c.

[Enclosure No. 1.]

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, May 12, 1865.

SIR: In compliance with your excellency's request, I hasten to transmit a copy of the note of Mr. Zumpstein, agent for France of the American Emigrant Company, to his excellency the minister of agriculture, commerce and public works, which formed one of the subjects of our conversation yesterday.

If the motives for refusing Mr. Zumpstein's application were of a nature to be modified by any explanation as to the character and objects of the company which I might be able to make, I should be happy to wait upon your excellency for that purpose, at your excellency's convenience.

I profit by this occasion to renew to your excellency assurances of the very high consideration with which I am your very obedient and very humble servant,

JOHN BIGELOW.

His Excellency Monsieur DROUYN DE LHUYS.

[Enclosure No. 2.—Translation.]

Mr. Drouyn de Lhuys to Mr. Bigelow.

PARIS, *June* 14, 1865.

SIR: After the interview at which you had expressed to me the wish that the American company called the American Emigrant Company should be authorized to undertake, in France, operations for the engagement and transportation of emigrants, you did me the honor to communicate to me on the 14th of last month a letter from Mr. Zumpstein, the agent of that company in Havre, requesting you to inform the French government, if necessary, upon the nature of the enterprise, and the guarantees which it presents.

The minister of commerce and of the interior, to whom I hastened to transmit the request of the American Emigrant Company, recommending it to their particular consideration, and pointing out to them the support which you would give to it, have deemed it susceptible of being favorably received, and it is pleasing to me to be enabled to announce to you, sir, that the minister of agriculture, commerce, and public works has, on the eighth of this month, in concert with the minister of the interior, issued an order which authorizes Mr. Zumpstein to undertake in Havre operations for the engagement and transportation of emigrants. The amount of the security to be given, agreeably to the decree of March 7, 1861, is fixed at 40,000 francs, and the French government accepts the surety presented by Mr. Zumpstein.

While charging the prefect of the Lower Seine with the execution of the order of the 8th of June, Mr. Behic has given him instructions in this sense.

Receive, sir, the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

DROUYN DE LHUYS.

Mr. BIGELOW, *Minister of the United States, Paris.*

Mr. Seward to Mr. Bigelow.

No. 173.] DEPARTMENT OF STATE,
Washington, June 15, 1865.

SIR: Your despatch of the 31st ultimo, No. 109, with its accompanying testimonials of sympathy inspired by the death of the late President Abraham Lincoln, has been received.

In compliance with your request these communications will be forwarded to their proper destinations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 176.] DEPARTMENT OF STATE,
Washington, June 17, 1865.

SIR: I have before me your despatch of May 23, No. 98, and also your despatch of June 1, No. 111.

Each of these communications is accompanied by correspondence which has taken place between yourself and Mr. Drouyn de Lhuys upon the subject of the denial by the French government of customary naval courtesies to the United States, and upon the claim which was insisted upon by the United States, that the belligerent privileges heretofore accorded by France to the insurgents of this country should be withdrawn. In effect, the first of your communications announces that the imperial government has revoked its instructions in regard to the courtesies due to the fleet of the United States which were complained of. The second of your despatches brings the information that the French government has responded to our representations

concerning the late belligerent privileges to the insurgents by withdrawing from them the belligerent character.

I have carefully considered the arguments employed in the correspondence between yourself and Mr. Drouyn de Lhuys, which has happily resulted in these important and gratifying declarations of the French government. While I do not concur in the positions which Mr. Drouyn de Lhuys has assumed in his part of the correspondence, I do not think it necessary to reopen the past discussion. Happily, the frank and explicit manner in which the correspondence between the two governments has been conducted during the four years of the insurrection has left no necessity for either party to restate now the position which it held during that eventful period. Insisting, therefore, by way of extreme caution, that the grounds heretofore assumed by the United States remain, in their judgment, undisturbed by the arguments which have been brought against them, I am content to leave the questions referred to to stand as they have been duly recorded, as questions which, once practical, have now become in a great degree historical. I find no reason to dissent from the opinion which you have expressed to Mr. Drouyn de Lhuys, to the effect that the right of visitation and search on the part of the United States would cease immediately after a withdrawal of the imperial declaration by which the insurgents were recognized as a belligerent.

These preliminaries being thus disposed of, I am authorized by the President to accept, on behalf of the United States, the declaration of the French government, and to respond with sincerity and frankness to the desire which the imperial government has so generously expressed, that the now restored relations of the two governments may be wisely improved, so as to revive the old sympathies of the two nations, whose interests and traditions constantly invite them to cultivate the most cordial friendship.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Bigelow.

No. 185.] DEPARTMENT OF STATE,
Washington, June 26, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 9th instant, No. 116, with five accompaniments, in regard to the withdrawal of the concession of belligerent rights to the insurgents by France.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 127.] LEGATION OF THE UNITED STATES,
Paris, June 26, 1865.

SIR: I have the honor to enclose a copy of my letter to M. Cochin, secretary of the French emancipation society, written in compliance with the instructions contained in Mr. Hunter's despatch No. 161.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Bigelow to Mr. Cochin.

[Enclosure.]

LEGATION OF THE UNITED STATES,
Paris, June 21, 1865.

DEAR SIR: The address of the French committee of emancipation which you desired me to communicate to the President of the United States has been received. I am instructed to express to you the gratification he has derived from the evidence already furnished by your organization of the earnest desire of so respectable a body of French citizens to aid the people of the United States in their efforts to ameliorate the condition of that race which has suffered so long all the evils of slavery.

In partial response to your request for publications tending to promote the objects of your committee, I transmit herewith the third annual report of the National Freedmen's Relief Association of the District of Columbia.

I am, dear sir, with high consideration, your very obedient servant,

JOHN BIGELOW.

Monsieur A. COCHIN.

Mr. Bigelow to Mr. Seward.

No. 132.] LEGATION OF THE UNITED STATES,
Paris, June 27, 1865.

SIR: Enclosed I transmit to you a few more testimonials of sympathy received at this legation on the occasion of the assassination of our late President.

They are divided into three categories, similar to those already transmitted by me with despatch No. 109, and numbered in continuation of that series.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

[For enlosures see Appendix, separate volume.]

[Enclosures to despatch No. 132.]

FIRST CATEGORY.

Letters addressed to Mrs. Lincoln, from—
No. 12. Freemason lodge, St. Auguste de la Bienfaisance, of Bologne sur Seine.
No. 13. Emules de Montyon, of Orleans.
No. 14. Sealed letter.
No. 15. Sealed letter.
No. 16. Sealed letter.
[The above enclosures forwarded to Mrs. Lincoln July 15.]

SECOND CATEGORY.

First subdivision.

Addresses from Freemason lodges to the United States minister at Paris:
No. 19. La Parfaite Union, of Confolens, Charente.
No. 20. Supreme G. C. of Misraim.
No. 21. Amis de la Parfaite Union, of Perpignan.
No. 22. Admirateurs de l'Univers.
No. 23. Scotch Lodge, No. 136, La Ruche Ecossaise.
No. 24. La Nouvelle Amitié, of Grasse.

Second subdivision.

To United States lodges—
No. 9. Amis de la Parfaite Union, of Perpignan, with three enclosures.
No. 10. Bienfaiteurs Réunis, of Gentilly.
No. 11. St. Auguste de la Bienfaisance of Boulogne sur Seine.
No. 12. La Nouvelle Amitié of Grasse.
No. 13. L'Harmonie.
[Those for Grand Lodge, New York, sent to Mr. James Austin, grand secretary.]

THIRD CATEGORY.

Miscellaneous letters and addresses to the President and others, from—
No. 29. The Creoles of Guadalupe, (colored.)
No. 30. Americans at Nice.
No. 31. Democrats of Lyons.
No. 32. Paul Thouzery.
No. 33. Imbert.
No. 34. A sealed letter.

Mr. Hunter to Mr. Bigelow.

No. 189.] DEPARTMENT OF STATE,
Washington, July 3, 1865.

SIR: I enclose for your information a copy of a letter of the 22d ultimo,* addressed by the Secretary of the Navy to Rear-Admiral Goldsborough, upon the subject of the withdrawal from the insurgents of the character of belligerents, and the proceedings of the Navy Department in view thereof.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 190.] DEPARTMENT OF STATE,
Washington, July 5, 1865.

SIR: I have received your despatch No. 118, of the 15th ultimo, enclosing a copy of your note of the 12th of May last to Mr. Drouyn de Lhuys, and of his reply of the 14th ultimo, in which he informs you that the minister of public works, with the minister of the interior, has issued an order which authorized Mr. Zumpstein to undertake operations at Havre for the engagement and transportation of emigrants, without material restrictions. I will thank you to convey to Mr. Drouyn de Lhuys an expression of the satisfaction of the President with the course of the French government in the matter.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 191.] DEPARTMENT OF STATE,
Washington, July 6, 1865.

SIR: I have read with care the essay of the Count de Montalembert upon the victory of the north in the United States, transmitted with your despatch of the 31st of May, No. 110. While it is written with great candor, it gives abundant evidence of study, care, and scrupulous accuracy in regard to facts. At the same time it has a dignity of thought and a largeness of philosophy that entitle it to be classed with that remarkable work of de Tocqueville with which the whole world is acquainted. I am glad to see that the United States have found so great and generous a defender within the conservative ranks of France. The work must exert a great and favorable influence in Europe. I shall endeavor

* See enclosure to instructions No. 1473 to Mr. Adams.

to have it reproduced here, for it contains matter very worthy of reflection by even those of us who have acted in the late political trials through which the country has passed. The venerable statesman's work has attracted the attention of the President, and he authorizes me to signify his approval of what I have thus written upon the subject. It may be proper for you to make these sentiments, thus approved, known to the Count.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 144.] LEGATION OF THE UNITED STATES,
Paris, July 14, 1865.

SIR: You will not fail to remark that the European press has been much occupied for the last few days with a report, put in circulation by a London print, that a new movement was on foot among the leading powers to bring about a European congress. A few days since I casually referred to this subject in a conversation with Mr. Drouyn de Lhuys, and asked if there was anything in it. He said, nothing at all—no more than in the report of the Anglo-French alliance against us. He, however, went on to say that he advised the Emperor originally to propose the congress, though he knew it would then be rejected. He thinks it will one day be accepted, and hopes that day may come as speedily as possible. France, however, he said, has not renewed and will not renew the proposal, but will wait till it comes from the other powers.

My impression is, that this discussion has been opened by parties desirous of sounding public opinion again upon the subject, and of leading it to a congress, which is coming to be regarded more and more as the only escape for most of the European states from impending bankruptcy and a general war, which would either precede or follow such a crisis.

La France, which passes for a sort of organ of the Foreign Office here, contradicted the report of the London paper, that M. Drouyn de Lhuys had been corresponding again on the subject of a congress, and last evening it published the following paragraph:

"The International, outbidding the Pall Mall, of London, the Cologne Gazette and the North German Gazette, pretends that Earl Russell would now be favorable to a congress, provided the United States would consent to send a delegate, and that the congress should sit in London.

"The information of the International is no more correct than that of the other journals above mentioned; and we certify anew that there has not been recently any exchange of communications between the great powers in relation to a European congress."

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Bigelow.

No. 202.] DEPARTMENT OF STATE,
Washington, July 17, 1865.

SIR: Your despatch of the 27th ultimo, No. 132, and its twenty-three accompaniments, have been received, in connexion with the similar papers transmitted

with your No. 109, of the 31st of May. These manifestations of sympathy and condolence in our great national bereavement, and at the same time of congratulation upon the triumph of the great cause with which the late President was so fully identified, coming as they do from highly respectable and intelligent groups of the people of France, are gratefully accepted in this country, and are deserving each of a special and cordial acknowledgment. As it is found, however, to be impossible to adopt that course, it is proposed, when all of such papers likely to be addressed to this government or this department shall have been received, to prepare a form of acknowledgment which will answer for all.

I have forwarded to Mrs. Lincoln and to the Masonic lodge those communications which were addressed, respectively, to them.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Bigelow.

No. 204.] DEPARTMENT OF STATE,
Washington, July 18, 1865.

SIR: Referring to my despatch of the 17th instant, No. 202, in regard to the replies to be made to the expressions of condolence and sympathy on the part of associations and individuals in France with the government and people of the United States, which have been called forth by the assassination of our late President, I will thank you to convey to the proper party, in each case, in which the communication has been addressed to or intended for the President, this government, this department, or the people at large, the grateful acknowledgments of the government and people of the United States for the neighborly and fraternal spirit thus evinced, in such terms as your judgment may suggest. It is, however, considered that, out of proper deference to the government of France, you should submit a copy of your proposed reply to the minister for foreign affairs, and obtain his sanction to the proceeding before sending it out.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*, *&c.*, *&c.*

Mr. Hunter to Mr. Bigelow.

No. 212.] DEPARTMENT OF STATE,
Washington, July 28, 1865.

SIR: I enclose a copy of a letter of the 25th instant, from Mr. Alexander Henschel, of New York, relative to the duty levied by the French government on hops exported from American ports, which he states is higher than that levied on the article when exported from the ports of other countries. As this impost prevents American exporters from competing with those of other countries, it will discourage the exportation from this country of an article favorably received in the markets of France; and as the present tax is not conceived to be a benefit to his Majesty's revenue, or to the dealers in the commodity, either in France or in the United States, I will thank you to make such a representation of the matter to his Majesty's government as, in your opinion, will best convince it of the advantages to be derived from a modification of the present prohibitory impost.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c.*, *&c.*, *&c.*

Mr. Hènschel to Mr. Seward.

No. 28 South William Street,
New York, July 25, 1865.

Sir: I beg leave to call the attention of the department to a recent reduction in the impost duty on hops imported into France from German ports to 24 francs p. 100 kilo., (only about two-thirds of the former rate,) to the prejudice of American hops, which still continue to pay, when imported direct from here into French ports, a duty of 54 francs p. 100 kilo.

My attention has been directed to this great disproportion by one of the hop houses in France, accompanied by the remark that this is the only drawback to prevent American hops from coming more and more into favor in France. As this article, which I have been exporting for a series of years to various countries, is only in its infancy, both as regards cultivation here as well as introduction abroad, I feel it my duty to bring the subject under the notice of the department.

I am, sir, your obedient servant,

ALEX. HENSCHEL.

Hon. William H. Seward,
Secretary of State, Washington, D. C.

P. S.—I find, subsequently, that American hops are the only ones of all foreign hops imported into France which pay such high duty.

Mr. Hunter to Mr. Bigelow.

No. 217.] Department of State,
Washington, July 31, 1865.

Sir: Your despatch of the 14th instant, No. 144, relative to the movement alleged to have been on foot for the purpose of convening a European congress, has been received and read with interest.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

John Bigelow, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 153.] Legation of the United States,
Paris, August 5, 1865.

Sir: The letters from the Hon. Garnier Pagés, of which I have the honor to enclose copies and translations, explain themselves. Though simply an individual expression of opinion, the position which the venerable writer has occupied as one of the five executive officers under the provisional government of France in 1848, and the position which he now occupies as one of the liberal members of the Chamber of Deputies of the city of Paris, not to speak of his personal virtues and his cordial sympathy for our country and government during its recent struggles, seem to justify me in complying with his request to have his letter laid before you, which I do with his own explanation of motives addressed to myself.

I shall find an opportunity to explain to Mr. Pagés that our government has not yet returned to the elementary condition in which the French republic of 1848 found itself when it abolished capital punishment; and that the United States has no more power to abolish the death penalty than he has to abolish the constitution. The fact that such an appeal should be addressed to the President of the United States by a person so intelligent and generally well informed as Mr. Pagés, shows how imperfectly the mass, even of educated Europeans, comprehend what we have done and what we have not done during

and since our great rebellion. The liberal press of Paris, without exception, I believe, shares Mr. Pagés's wishes and ignorance on this subject.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Pagés to Mr. Bigelow.

[Translation.]

DEAR MR. BIGELOW: It may seem indiscreet for any foreigner to intervene in the political acts of a nation. But I obey, without being able to define it, a sentiment which leads me to consider myself in some sort a member of the great American republic, and to associate myself with its destinies. I yield, doubtless, to that fraternal principle of common sympathy which unites all men and all peoples who have the same ideas and desire to attain the same end. I do not hesitate, therefore, to submit to you a letter dictated by my ardent desire to see the government of the United States succeed in a difficult position, and avoid the embarrassments of the legal repression which frequently transforms criminals into martyrs, and thus gives results contrary to those which are sought to be obtained.

If this letter accords with the intuitions of your government, and you think its publication would be useful, please have it presented through the Hon. Mr. Seward to your President. But as I do not desire in any manner to increase the weight of the responsibility which now rests upon the eminent man at the head of your republic, I beg that you will pass this letter by in silence if it can only clash with their policy.

Have the kindness, in any case, to present to Mr. Seward my most affectionate compliments, and tell him how happy I have been at his recovery and at your successes.

Yours, very devotedly, GARNIER PAGÉS.

[Enclosure No. 4.—Translation.]

Mr. Pagés to the President.

MR. PRESIDENT: When the French people resumed possession of their sovereignty, the 24th of February, 1848, when they proclaimed the republic, the minister of the United States was the first representative of a friendly nation who hastened to the Hotel de Ville of Paris to convey the expression of his fraternal sympathies. The minister, Mr. Rush, and the venerable president of the provisional government, M. Dupont, (de l'Eure,) in a holy embrace, tightened the bonds of alliance of the two great republics.

That very day the French people, through the medium of their improvised representatives, proclaimed the abolition of the death penalty in political matters. This act of regeneration, which consecrated an era in the progress of humanity, excited universal transports.

From that solemn day the words "revolution and republic," effacing the stain of bloodshed, signified "clemency and fraternity." The revolution and the republic had broken in pieces the political scaffold.

The poignant regrets of defeat, the anguish of a troubled spirit, the corroding memory of faults committed, and, if the necessities of legal repression require it, banishment to a foreign land and the sufferings of exile, seemed a sufficient punishment, an expiation sufficiently severe.

You will, therefore, consider it as simply natural, Mr. President, and you will kindly permit us who bear in our hearts the great democratic traditions; who have never ceased to offer our ardent prayers for the triumph of the American Union, and who have so admired it since it has proclaimed the abolition of slavery; who have felt a thrill of joy in learning the end of the civil war, and of sorrow in hearing of the cruel death of President Lincoln, to come in sympathy to tell you with what lively satisfaction we should learn that the cry of human conscience which issued from the Hotel de Ville of Paris in 1848 has found its echo at the White House of Washington in 1865.

Be pleased, Mr. President, to accept, with the expression of our fraternal regard for the great American people, the assurance of our distinguished regard for yourself.

Yours, devotedly, GARNIER PAGÉS.

The PRESIDENT *of the United States.*

Mr. Seward to Mr. Bigelow.

No. 233.] DEPARTMENT OF STATE,
Washington, August 25, 1865.

SIR: I have received your despatch of the 5th instant, No. 153. In accordance with the request of the honorable Garnier Pagès, a translation of his letter which accompanied your despatch has been submitted to the President, who recognizes Mr. Pagés' great political virtues, and eminent labors in the cause of humanity.

Be pleased to convey to Mr. Pagés my sincere appreciation of the sentiments which he has expressed towards me personally.

I am, sir, your obedient servant,

WILLIAM H SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

[With three enclosures.]

No. 168.] LEGATION OF THE UNITED STATES,
Paris, September 2, 1865.

SIR: I am in receipt of your despatch No. 204, relating to the replies to be made to the expressions of condolence and sympathy called forth in France by the assassination of our late President. In pursuance of your request that I would convey to the proper party in each case in which the communication had been addressed to or intended for the President, our government, the State Department, or the people at large, the grateful acknowledgments of the government and people of the United States for the neighborly and fraternal spirit, in such terms as my judgment might suggest, I have addressed the communication, of which enclosure No. 1 is a copy, and enclosure No. 2 a translation, to the following persons, *mutatis mutandis:*

Mr. Viennet, of the French Academy, grand master of Scotch masonry in France; M. Neno, master of the Lodge La Ligne Droite; M. Perrot, master of the Lodge La Bonne Foi; M. Gary, master of the Lodge Orion; Reverend Descombaz, president of the Evangelical Alliance of Lyons; Henri Carle, president of the Alliance Religieuse Universelle; L. Pelatte, vice-consul of the United States at Nice, representing the American residents at that city; M. Viollier, vice-consul of the United States at Lyons, who transmitted the address of the democrats of Lyons; M. C. Davisson, United States consul at Bordeaux, who transmitted the address of the citizens of Pau; M. P. Leconte, delegate of La Jeunesse Francaise.

Of the whole list of letters these were the only ones which were not, as I supposed, sufficiently acknowledged by me immediately upon their receipt. I did not send these replies to you when the letters were forwarded, for the want of force in my office at that time to prepare them, but I now have the honor to transmit to you copies of all these replies in the annexed enclosure No. 3.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[For the addresses, &c., above referred to, see Appendix, separate volume.]

[Enclosure No. 2.—Translation of No. 1.]

LEGATION OF THE UNITED STATES,
Paris, August 31, 1865.

SIR: I am instructed by his excellency the President of the United States to acknowledge the receipt of the touching note you were pleased to address to him on the occasion of our late national bereavement.

The President has been deeply affected by the fraternal and sympathetic spirit which this distressing event has awakened in every quarter of the globe. He accepts it as one of the precious results contemplated by Providence in permitting our national capital to become the theatre of a crime in many respects of unparalleled atrocity.

If the world needed some new and signal illustration of the folly of assassination as a political agency, it would be difficult to select an event from all history better calculated for such a purpose than that which raised President Lincoln to the dignity of a martyr, and filled the whole civilized world with grief and dismay.

I pray you to accept the assurance of my most distinguished consideration.

JOHN BIGELOW.

To ——— ———.

[Enclosure No. 3, 30 papers.—Translation.]

Mr. Bigelow to Rev. Mr. Descombaz.

(3d category, No. 3.)

PARIS, *May* 1, 1865.

MR. PRESIDENT: I have received your touching and sympathetic address to the President of the United States, and shall experience a sad satisfaction in transmitting it to him. The horrible crime which has called him to succeed to the first martyr in the list of our Presidents will make him especially thankful for your sympathies and your prayers.

The deep emotion which our national mourning has everywhere excited, and particularly in France, proves that the assassin who has deprived us of the precious counsels of President Lincoln has given to him the immortality of the martyr, and forever placed before us this rare example of Christian courage and patriotism.

I beg you, sir, to accept for yourself and your reverend colleagues the assurances of my deep veneration.

JOHN BIGELOW.

The Pastor Mr. S. DESCOMBAZ,
President of the Evangelical Alliance of Lyons.

[Translation.]

Mr. Bigelow to Prince Napoleon.

(3d category, No. 14.)

PARIS, *May* 1, 1865.

MONSEIGNEUR: I am sensibly touched by the expressions of sympathy which your Highness has had the goodness to address to me. If anything could allay our great national grief it would certainly be the abundant proofs which reach me from all parts of France that the loss we have just suffered is deplored by all those who know how to appreciate that which is great, which is noble, which is pure.

I shall hasten to transmit this kind expression of the sympathy of your Highness to the afflicted widow and other members of the family of our deceased President, who have the first right to the consolations which such a testimonial can give.

I have the honor to be, with most profound respect, your Highness's most humble and most obedient servant,

JOHN BIGELOW.

Monseigneur the PRINCE NAPOLEON.

[Translation.]

Mr. Bigelow to Mr. Isoard.

(3d category, No. 52.)

PARIS, *May* 4, 1865.

SIR: I thank you heartily for the sympathy you have pleased to show towards my country and its government on the occasion of the calamity which has just stricken them so cruelly.

Accept, I pray you, sir, the assurance of my distinguished respects.

JOHN BIGELOW.

Mr. E. ISOARD.

[Translation.]

Mr. Bigelow to Mr Delbetz.

(3d category, No. 51.)

PARIS, *May* 4, 1865.

SIR: I am sensibly affected by the very cordial letter which you have pleased to address to me on the occasion of the horrible crime which has struck down our President, Mr. Lincoln.

Nothing, in my view of it, can more contribute to strengthen the very cordial relations which unite our two nations than the evidences of sympathy emanating from such men as you.

Please accept, sir, the assurance of my most distinguished and cordial respect.

JOHN BIGELOW.

M. DELBETZ.

[Translation.]

Mr. Bigelow to Mr. Marais.

(3d category, No. 29.)

PARIS, *May* 4, 1865.

SIR: I have the honor to acknowledge the receipt of your letter dated April 16, and to thank you for the sympathy for my country and its government, of which you are pleased to send me the expression on the occasion of the horrible crime which has so cruelly wounded us in the person of President Lincoln.

Accept, sir, the assurance of my most distinguished sentiments.

JOHN BIGELOW.

To Mr. MARAIS.

Similar letters were addressed to Messrs. Guggernot, ainé, (3d category, No. 46;) Dalibelle, (3d category, No 12;) Simille, (3d category, No. 50;) Dugit, (3d category, No. 49;) Rey, (3d category, No. 19;) Delestre, (3d category, No. 48;) Leborgne, (3d category, No. 39;) Dr. Bonifas, (3d category, No. 45:) Lemassou, fils, (3d category, No. 16;) Hénat, (3d category, No. 15;) Mexal, (3d category, No. 54;) S. M. Remale, (3d category, No. 40;) Lanaux, (3d category, No. 36;) P. Ionain, (3d category, No. 20;) P. Leconte, (3d category, No. 22;) P. Griel, (3d category, No. 60;) A. Rivière, (3d category, No. 43;) G. Descottes, (1st category, No. 7;) A. Schiegars, (3d category, No. 22;) I. B. Thurges, (1st category, No. 13;) H. Carle, (1st category, No. 1;) Campadelli, (1st category, No. 61;) Chaube, (1st category, No. 57;) Cherrier, (1st category, No. 66;) Banet Rivet, (3d category, No. 35;) Imbert, (3d category, No. 33;) Comte de Douchet, (3d category, No. 34.)

[Translation.]

Mr. Bigelow to Mr. Niquet.

(3d category, No. 13.)

PARIS, *May* 4, 1865.

I have the honor to acknowledge the receipt of your letter dated May 1, second anniversary of the National Union of Commerce and Industry, of which you are president.

I thank you sincerely for the very sympathizing resolution of which you send me the text, and will be greatly obliged to you to express to your colleagues how much I have been touched by this cordial manifestation of the sentiments of the traders of Paris toward my country and its government, so grievously tried by the loss of President Lincoln.

Please receive, Mr. President, the assurance of my most distinguished and most cordial sentiments.

JOHN BIGELOW.

Mr. ALLAIN NIQUET,

President of the National Union of Commerce and Industry.

[Translation.]

Mr. Bigelow to Mr. Cuicedo.

(3d category, No. 35.)

PARIS, *May* 6, 1865.

DEAR SIR: I have the honor to acknowledge the receipt of your letter dated April 26, and to express to you all my thanks for the sympathy of which you have sent me the evidence on the occasion of our great national mourning. In the midst of all these marks of kind regard which are given us at this moment, we are particularly sensitive about those which emanate from men belonging, like you, to the American continent, and who are devoted to our institutions.

Please accept, sir, the assurance of my distinguished regards.

JOHN BIGELOW.

Mr. I. M. TORRES CUICEDO.

[Translation.]

Mr. Bigelow to M. de Félice.

(3d category, No. 21.)

PARIS, *May* 6, 1865.

SIR: I have been extremely touched by the very sympathizing letter which you were pleased to address me in your name, personally, and for several of your friends, members of the Protestant church of France, and correspondents of the society for the abolition of slavery. Permit me to say to you that I attach especial value to seeing the efforts of my country and its government in the interest of the holy cause of humanity appreciated with so much loftiness by men such as you.

I beg you to accept my best thanks, and to transmit them to your friends, among whom I find M. M. Courtois, with whom I had the happiness to make acquaintance at Toulouse.

Please receive the assurance of my sentiments of high consideration.

JOHN BIGELOW.

Mr. G. DE FÉLICE.

[Translation.]

Mr. Bigelow to M. de Lafayette.

(3d category, No. 11.)

PARIS, *May* 6, 1865.

SIR: In the midst of all the testimonials of sympathy which I receive on the occasion of our great national mourning, none could bring me more real consolation than yours.

The name which you so worthily bear recalls the services which my country will always keep in remembrance, and will remain united in the gratitude of my countrymen with those of Washington and Lincoln.

Please, sir, to accept, with all my thanks, the assurance of my highest consideration.

JOHN BIGELOW.

Mr. OSCAR LAFAYETTE.

[Translation.]

Mr. Bigelow to Rev. M. Barthe.

(3d category, No. 7.)

PARIS, *May* 6, 1865.

SIR: I have the honor to acknowledge the receipt of your letter, dated May 2, through which you were pleased to send to me your adhesion to the well-considered address from your colleagues, present at this time in Paris.

I thank you cordially for the part you take in our great national mourning, for the sympathy with which you appreciate our efforts in the interest of the sacred cause of humanity, and for the prayers you address to God in behalf of my country.

Please accept, sir, the assurance of my sentiments of high consideration.

JOHN BIGELOW.

Rev. M. BARTHE.

[Translation.]

Mr. Bigelow to General Faubert.

(3d category, No. 4.)

PARIS, *May* 6, 1865.

GENERAL: I have the honor to acknowledge the reception of the address which you were pleased to transmit to me, as well in your own name as in that of your son, on the occasion of the crime of which Messrs. Lincoln and Seward have been victims, and I beg you to accept all my thanks for the sympathy with which you partake in our national mourning.

Receive, sir and general, the assurance of my most distinguished and most cordial sentiments.

JOHN BIGELOW.

General the COUNT FAUBERT.

[Translation.]

Mr. Bigelow to Mr. Monod.

(3d category, No. 1.)

PARIS, *May* 6, 1865.

DEAR SIR: I thank you earnestly for the sympathy, the expression of which you were pleased to send me on the occasion of our great national mourning, and for the delicate attention with which you have brought to my knowledge those touching words by which the pious pastor William Monod announced our misfortune to the Evangelical Society.

Mr. Monod had taken the trouble to write to me one of the kindest of letters, before his departure for America; but that letter only reached my legation after my departure for Brest, and when I got back to Paris, precipitately recalled by the terrible news of the death of Mr. Lincoln, it was impossible for me, in the midst of my occupations which assailed me, to send to Mr. Monod the information he sought of me. I will therefore be greatly obliged to you shall write to him to make all excuses for me.

Accept, sir, the assurance of my most distinguished respects.

JOHN BIGELOW.

M. ADOLPHE MONOD.

[Translation.]

Mr. Bigelow to Messrs. L. & C. Didé.

(3d category, No. 18.)

PARIS, *May* 9, 1865.

GENTLEMEN: I have the honor to acknowledge the receipt of the address you were pleased to send me, as well in your own name as in that of the working-men of your house. In the midst of the deep grief which has fallen on Mrs. Lincoln, there cannot be more effective consolation than the marks of sympathy by which she is surrounded, and I shall make it my duty to send her your address. I request you to accept yourselves, and cause your worthy operatives to receive, the expression of my thanks.

Receive, gentlemen, the assurances of my most distinguished regards.

JOHN BIGELOW.

MM. L. & C. DIDÉ.

[Translation.]

Mr. Bigelow to Mr. Molard.

(2d category, first subdivision, No. 10.)

PARIS, *May* 10, 1865.

SIR: I have the honor to acknowledge the receipt of the letter which you have been pleased to address to me in the name of the "Masonic Lodge of Triumphant Friends." I beg you to accept personally and to transmit to the lodge all my thanks for the marks of sympathy which it has pleased to give to my country and its government on the occasion of our great national mourning.

Accept, sir, the assurance of my distinguished sentiments.

JOHN BIGELOW.

Mr. MOLARD.

Similar letters were addressed to Messrs. Thierry, second category, first subdivision, No. 17; Leon Richer, second category, first subdivision, No. 8; Perrot, second category, third subdivision, No. 2; A. Lacoste, second category, first subdivision, No. 21; Laverriere, second category, first subdivision, No. 13; Bourgeon fils, second category, first subdivision, No. 18; Bailleux, second category, first subdivision, No. 11; Massol, second category, second subdivision, No. 4; Audieu, second category, first subdivision, No. 22; Coutherat, second category, first subdivision, No. 20; Lesueur, second category, first subdivision, No. 15; Thelmier, first category, first subdivision, No. 2; La Flize, second category, first subdivision, No. 19; Guillet, second category, first subdivision, No. 4; Demure, second category, first subdivision, No. 14; Campagno, second category, second subdivision, No. 10; Dr. Gerault, second category, first subdivision, No. 20; Lodges of Tours, second category, first subdivision, No. 16; Thirifocq, second category, first subdivision, No. 23; Eliot, second category, first subdivision, No. 23; Soubert, second category, first subdivision, No. 24; Maillier, second category, first subdivision, No. 25; A. Bourgeaux, second category, second subdivision, No. 9; Roux, second category, second subdivision, No. 14; Guilbert, second category, first subdivision, No. 26.

[Translation.]

Mr. Bigelow to M. Khan.

(3d category, No. 31.)

PARIS, *May* 12, 1865.

Mr. CHARGÉ D'AFFAIRES: I have the honor to acknowledge the reception of your despatch dated the 9th instant.

I will hasten to transmit to President Johnson the very sympathizing communication which you have been pleased to address to him through my intervention in the name of his Imperial Majesty the Shah of Persia.

You may be sure that my country and its government will learn with cordial satisfaction the part which your august sovereign takes in our national mourning.

Accept, Mr. Chargé d'Affaires, the assurance of my very high consideration.

JOHN BIGELOW.

His Excellency SULEYMAN KHAN,
Chargé d'Affaires of his Imperial Majesty the Shah of Persia, at Paris, &c., &c.

Mr. Bigelow to Mr. Pelatte.

(3d category, No. 30.)

PARIS, *May* 13, 1865.

SIR: I am in receipt of your favor of the 10th instant, covering an address from the Americans resident at Nice to the President of the United States.

I shall lose no time in transmitting it, agreeably to their request and yours.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Mr. LEON PELATTE.

[Translation.]

Mr. Bigelow to Mr. Charpentier.

(2d category, first subdivision, No. 3.)

PARIS, *May* 15, 1865.

SIR: I have the honor to acknowledge the receipt of your letter dated 10th May, and of the enclosure accompanying it, which I will hasten, in conformity with your desire, to forward to the address you have indicated to me.

Nothing can be more consoling to my compatriots, in the midst of our national mourning,

than to learn how much their sorrow is shared in Europe, and I pray you to become the organ to the lodge "The Friends of Order" in Paris of all my gratitude for the sympathy which it sends to my country and to its government.

Accept, sir, the assurance of my very distinguished sentiments.

JOHN BIGELOW.

Mr. CHARPENTIER.

[Translation.]

Mr. Bigelow to Mr. Lesperut

(3d category, No. 33.)

PARIS, *May* 17, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 12th, and of the bi ographical notice of the life of Mr. Abraham Lincoln which accompanied it. I pray you to receive all my thanks, and to believe in my most distinguished and most earnest regard.

JOHN BIGELOW.

Mr. LESPERUT.

[Translation.]

Mr. Bigelow to Mr. Mongel Bey.

(3d category, No. 15.)

LEGATION OF THE UNITED STATES,
Paris, May 18, 1865.

Mr. PRESIDENT: I have the honor to acknowledge the receipt of the letter of the international committee for establishing the American canal by the isthmus of Darien over which you preside. You will much oblige me by transmitting to your colleagues my thanks for the sympathy whereof you send me so precious tokens, on the occasion of our great national mourning. I take pleasure in assuring you of the interest I feel in the success of enterprises which, like yours, are dest ned to render more easy the communication between different portions of the American continent, and by consequence to draw more close the ties of amity which unite their inhabitants.

Accept, sir, the expressions of my most distinguished sentiments.

JOHN BIGELOW.

Mr. MONGEL BEY.

[Translation.]

Mr. Bigelow to Mr. Cochin.

PARIS, *May* 19, 1865.

DEAR SIR: I have the honor to acknowledge the receipt of your letter dated 17th, as well as of the address which you are pleased to ask me to send to the President of the United States in the name of the French Committee of Emancipation. In conformity with your wish that document has already been transmitted to its destination.

The President will receive with lively satisfaction the testimonial of sympathy of an assemblage of men who figure among the most eminent leaders of public opinion in Europe, and their enlightened counsels will certainly be received with the deference due to the source from which they emanate, and the more so as they only reflect faithfully the policy deliberately determined on and constantly followed by my government from the beginning of the rebellion. I have no need to tell you what price the President and the people of the United States will attach to the efforts of which this address is the first fruit, and which tends to spread among the people the teachings of which the late insurrection in America has been so fruitful. I have no need, either, to assure you of the cordiality with which I am disposed to join my co-operation to that of men so happily inspired. I shall be proud to associate my humble services to those of an association as capable as that of which you are the organ,

of carrying out in good faith the noble enterprise to the success of which its members have willed to devote their talent and their reputation.

Accept, dear sir, the assurance of my most distinguished and most cordial regard.

JOHN BIGELOW.

Mr. A. COCHIN.

P. S. I will do myself the pleasure of sending to you, at the earliest, the names you have done me the honor to ask for.

Mr. Bigelow to Mr. Davison.

(3d category, No. 2.)

UNITED STATES LEGATION,
Paris, May 24, 1865.

SIR: I have received the address of the citizens of Paw which, at the request of your consular agent at that place, you were good enough to send me. It will be placed among the archives of the legation.

Yours, very respectfully,

JOHN BIGELOW.

C. DAVISON, Esq., *United States Consul at Bordeaux.*

[Translation.]

Mr. Bigelow to Mr. E. de Magnin.

(1st category, No. 4.)

LEGATION OF THE UNITED STATES,
Paris, May 24, 1865.

SIR: I have the honor to acknowledge the reception of your letter dated 20th instant, and of the address of the Pastoral Conference of the Drome and the Ardeche to Mrs. Lincoln. You may count upon the gratitude with which the Christian spirit of the widow of our lamented President will receive the expressions of sympathy and the very touching consolations with which you have been pleased to charge me to transmit to her, and I pray you to accept my thanks, with the assurance, Mr. President, of my sentiments of high consideration.

JOHN BIGELOW.

Mr. E. DE MAGNIN.

[Translation.]

Mr. Bigelow to Mr. Viennet.

(2d category, first subdivision, No. 12.)

LEGATION OF THE UNITED STATES,
Paris, May 24, 1865.

SIR: Will you please to be the interpreter to the "Lodges of the Scotch Rite," of all the gratitude with which I have received the deeply sympathizing testimonial you have done me the honor to address to me in their name on the occasion of our great national mourning.

I shall make it a duty to respond to the wishes you have manifested to me, by transmitting to President Johnson and Mrs. Lincoln the expression of sentiments which will affect them deeply.

I avail of this occasion, sir, to say to you how much I congratulate myself on perceiving my country and its government so justly appreciated by men who, like you, are at the head of the republic of letters in Europe, and whose judgment is regarded as authority everywhere.

Accept, sir, the assurance of my sentiments of high and affectionate consideration.

JOHN BIGELOW.

M. VIENNET, *Member of the French Academy.*

[Translation.]

Mr. Bigelow to Mr. Campadelli.

(3d category, No. 61.)

LEGATION OF THE UNITED STATES,
Paris, May 26, 1865.

SIR: I thank you for the verses you have been pleased to address to me, and I accept with thankfulness the expression of the sympathizing sentiments which they contain for my country and its government, on the occasion of our national mourning, and of the great trials we have just passed through.

Accept, sir, the assurance of my very distinguished regards.

JOHN BIGELOW.

Mr. CAMPADELLI.

Similar letters were addressed to—
Messrs. Pierre Greil (3d category, No. 60.)
Paul Thouzery, (3d category, No. 62.)
Auguste l'Allour, (3d category, No. 63.)

Mr. Bigelow to Mr. Chénier.

(3d category, No. 66.)

LEGATION OF THE UNITED STATES,
Paris, May 29, 1865.

SIR: I thank you for the piece of verse, "America and Lincoln," which you have pleased to address to me. I have been truly touched with the sympathizing homage which you have rendered with as much feeling as delicacy to the memory of our regretted President.

Accept, sir, the assurances of my distinguished respect.

JOHN BIGELOW.

Mr. CHÉNIER.

[Translation.]

Mr. Bigelow to Madame Rivet.

(3d category, No. 36.)

LEGATION OF THE UNITED STATES,
Paris, June 6, 1865.

MADAME: I have perused with the liveliest interest the touching verses that you have done me the honor to address to me on the occasion of the abominable crime of which Mr. Lincoln has been the victim. I beg you believe in all my gratitude for so precious a mark of sympathy as you have pleased to give to my country and to its government under this sad event.

Accept, madame, the assurance of my most respectful regards,

JOHN BIGELOW.

Madame BANET RIVET.

Mr. Bigelow to Mr. Lesley.

(3d category, No. 31.)

PARIS, *June* 6, 1865.

DEAR SIR: I have received the address from the democrats of Lyons which you sent me, and will lose no time in transmitting it to the President.

I am, dear sir, with great respect, your obedient servant,

JOHN BIGELOW.

JAMES LESLEY, Esq., *Consul of the United States.*

[Translation.]

Mr. Bigelow to Mr. Bloucourt.

(3d category, No. 22.)

LEGATION OF THE UNITED STATES,
Paris, June 19, 1865.

DEAR SIR: I have been profoundly touched by the very sympathizing terms in which the creoles of Guadaloupe have appreciated the loss which my country and government has undergone in the death of Mr. Lincoln.

He merited their gratitude, for whilst he was the firm stay of humanity, he seemed to have been stirred up to become the special benefactor of the African race.

Although the hand of a dastardly assassin sufficed to reduce to silence that voice ever ready to answer to the calls of humanity and of justice, it has not power enough to resist the immortal influence of his example and of his august martyrdom. In any civilized country slavery cannot long survive such a life crowned by such a death.

I beg you, sir, to be so obliging as to transmit to your compatriots of Guadaloupe the expression of my grateful appreciation of their honorable sympathy, and accept the assurance of the high consideration with which I have the honor to be your very obedient servant,

JOHN BIGELOW.

Mr. MELVILLE BLOUCOURT.

Mr. Bigelow to Mr. Cochin.

LEGATION OF THE UNITED STATES,
Paris, June 21, 1865.

DEAR SIR: The address of the French Committee of Emancipation, which you desired me to communicate to the President of the United States, has been received. I am instructed to express to you the gratification he has derived from the evidence already furnished by your organization of the earnest desire of so respectable a body of French citizens to aid the people of the United States in their efforts to ameliorate the condition of that race which has suffered so long all the evils of slavery.

In response to your request for publications tending to promote the objects of your committee, I transmit herewith the third annual report of the National Freedmen's Relief Association of the District of Columbia.

I am, dear sir, with high consideration, your very obedient servant,

JOHN BIGELOW.

Monsieur A. COCHIN.

[Translation.]

I. N. Proeschel to the Rev. Messrs. Jaulmes and Pulsford.

(1st category, No. 18.)

LEGATION OF THE UNITED STATES,
Paris, July 20, 1865.

GENTLEMEN: The minister of the United States has charged me to acknowledge to you the reception of the address which you have been pleased to transmit to him in the name of the French Methodist conference, and to assure you of the pleasure with which he will endeavor to cause it to reach the widow of our lamented President.

Accept, sir, the assurance of my most respectful consideration.

I. N. PROESCHEL, *Private Secretary.*

Messrs. Pastors G. JAULMES and L. PULSFORD.

Mr. Seward to Mr. Bigelow.

[Extract.]

No. 258.] DEPARTMENT OF STATE,
Washington, September 7, 1865.

SIR: * * * * * * *

With the decline of the civil war in the United States the press, as well at home as abroad, finds its news materially abridged. Hence we have incidents, in themselves unimportant, magnified into indications of solemn state purposes, and loosely drawn and conjectured speculations of forthcoming grave events. The affair at Cherbourg belongs to this class of subjects. This government has taken no thought of it, and has not been disposed to invest it with any the least amount of interest, and of course has no wounded sensibility about it. The government of Great Britain still maintains its twenty-four-hour rule in regard to our ships-of-war in British ports, and we have expressed our opinion and announced our course in relation to that discourtesy. France has not announced that she intends to maintain that rule, but has left us to infer the contrary, although British agents represent that her course is identical with that of Great Britain. We have taken no notice of those statements. We intend neither to seek for controversies nor to give voluntary offence to maritime powers, and we therefore are not looking about us for affronts or indications of disrespect.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq, *&c. &c., &c.*

Mr. Seward to Mr. Bigelow.

No. 260.] DEPARTMENT OF STATE,
Washington, September 8, 1865.

SIR: Mr. Drouyn de Lhuys has instructed the Marquis de Montholon to propose to this government a modification of the terms exacted from the Japanese by the three powers in the treaty, which followed the hostilities jointly undertaken by them, for the purpose of overcoming the resistance to the free passage of the Strait of Simonoseki.

I enclose a translation* of an abstract of the instruction, which abstract the marquis has left with me for consideration. Though on its face the proposition which it contains does not seem to offer any serious objection, it is preferred that, if practicable, the adjustment desired should be made at Paris, especially as both England and France are more largely interested in this particular matter than we are, and the English minister at Paris, being so near home, can act under full instructions from his government. The subject is consequently commended to your best discretion.

Although it may be desirable that the affair should be disposed of without delay, so far as we are concerned there is an important element to be taken into consideration, which, if the business were to be settled at once by the executive authority of the United States, would not make that settlement legally binding. The treaty itself has not yet been submitted to the United States Senate. This is indispensable on any instrument of the kind, even one which does not impose an obligation on us, or which does not, like the one in question, contain a stipulation for an exchange of ratifications. You will, of course, mention this to Mr. Drouyn de Lhuys.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

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* For enclosure see correspondence with French Legation, current series.

Mr. Seward to Mr. Bigelow.

No. 271.] DEPARTMENT OF STATE,
Washington, September 25, 1865.

SIR: I have received your despatch of the 2d instant, No. 168, enclosing copies of the replies which you made, in compliance with my instructions, to the letters of condolence and sympathy which were inspired by the death of the late President, and addressed to this government by various political and social organizations in France. In reply, I beg that you will accept my thanks for the prompt and efficient manner in which you performed the duty assigned to you, and I desire, at the same time, to inform you of my high appreciation of the communications which you have been pleased to submit to me as the result of your labor.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

[Extract—with three enclosures.]

No. 182.] UNITED STATES LEGATION,
Paris, October 6, 1865.

SIR: In compliance with the instructions contained in your despatch No. 212, I addressed a communication to Mr. Drouyn de Lhuys, of which enclosure No. 1 is a copy.

I have this day received in reply a communication, of which enclosure No. 2 is a copy and No. 3 is a translation.

His excellency admits the unequal operation of the French tariff on hops, but declines to make that article the subject of negotiations until both countries are prepared to subject their common custom-house relations to a general review.

This intimation confirmed an impression which I have formed and had the honor to communicate to you in my despatch No. 179, that this government is not indisposed to enter into new and closer commercial relations with the United States if its political relations with us take a satisfactory direction.

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I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 1.]

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, August 28, 1865.

SIR: I have the honor to transmit to your excellency a copy of a letter which has been received by my government from a producer and exporter of hops in the United States, in which it is stated that while the duty upon hops imported into France from other States has been very materially reduced, the former high duty is still imposed upon that product when imported from the United States. This provision which acts as a prohibition against American hops in the markets of France is not considered to be either advantageous to the imperial

revenue or to the general interest of the dealers in this article. I am, therefore, instructed to call the attention of the Emperor's government to this matter, and to request such a modification of the present system as may, in their opinion, be best calculated to serve the mutual interests of the two nations.

I avail myself of this occasion to renew to your excellency assurances of the high consideration with which I have the honor to be your excellency's very obedient servant.

JOHN BIGELOW.

M. DROUYN DE LHUYS, *Minister of Foreign Affairs, Paris.*

[Enclosure No. 3.—Translation of No. 2.]

Mr. Drouyn de Lhuys to Mr. Bigelow.

PARIS, *October* 6, 1865.

SIR: You were so kind to transmit to me on the 28th of August last, by calling my particular attention to a claim made by one of your countrymen about the high duties imposed upon American hops on their entrance into France. M. Herschel observes that hops coming from that country continue to pay the tax of fifty-four francs per one hundred kilogrammes which is inscribed on the general tariff of French customs, whilst, by virtue of commercial treaties recently concluded with Germany, Belgium, and England, the similar products of those countries have only to pay twenty-four francs. You add, sir, that in the commercial interests of both countries it would be well to do away with this inequality.

I do not hesitate to admit, sir, that the last modifications which were made in our tariffs by negotiations created a situation that was unfavorable for hops, as well as for other and not less important products of the United States. I do not think it necessary to add that the government of the Emperor would see with pleasure the possibility of immediately extending to the natural and manufactured products of America the benefit of the reductions of tariff accorded to the principal European nations. But, at the same time, I beg permission to observe that such important measures can only be realized by a treaty negotiated in a diplomatic form, and stipulating in the interest of the two countries mutual reductions of duties. The question of the tariff on hops, however interesting it may be for American producers, cannot be treated separately, and its solution should be deferred to a moment when it will be deemed opportune to subject the system of our maritime and commercial relations with the United States to a general inquiry.

Accept the assurances of the high consideration with which I have the honor to be, sir, your very humble and very obedient servant,

DROUYN DE LHUYS.

MR. BIGELOW, *United States Minister at Paris.*

Mr. Hunter to Mr Bigelow.

No. 287.] DEPARTMENT OF STATE,
Washington, October 19, 1865.

SIR: Referring to your despatch of the 28th of March last, No. 66, relative to the claim of the Arizona Mining Company against France, on account of the seizure of a quantity of powder on the schooner William L. Richardson, I now transmit to you a copy of a communication of the 17th instant, from Messrs. Lewis & Cox, attorneys for that company. As it appears from the evidence that the powder in question was not intended for hostile purposes, and was destined to a place within the jurisdiction of the United States, I must request you to submit the claim to the reconsideration of the imperial government, and to support it by such arguments as the facts of the case may, in your judgment, warrant.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JOHN BIGELOW, Esq., *&c., &c., &c.*

Mr. Bigelow to Mr. Seward.

No. 190.] LEGATION OF THE UNITED STATES,
Paris, October 27, 1865.

SIR: In compliance with your instruction No. 260, of the 8th of September, I addressed a communication, of which enclosure No. 1 is a copy, to their excellencies the minister of foreign affairs and Lord Cowley.

Monsieur Drouyn de Lhuys said to me verbally that he would see Earl Cowley, and if the British government was disposed, as he inclined to think it was, to demand the pecuniary indemnity from the Japanese government, he would call us together for a conference without delay.

The honorable Mr. Grey, chargé d'affaires of the British legation, in the absence of Lord Cowley, called upon me to say that he had submitted my communication to Earl Russell for instructions, and had been directed to say that the British minister at Yedo had been instructed to report at once and fully upon the subject, and that further action thereon by her Majesty's government would be suspended until the receipt of his report, expected in about a month.

He intimated that there was a disposition to have the open ports instead of a pecuniary indemnity, if practicable.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 1.]

Mr. Bigelow to Mr. Drouyn de Lhuys.

LEGATION OF THE UNITED STATES,
Paris, October 13, 1865.

The undersigned, envoy extraordinary and minister plenipotentiary of the United States of America, presents his compliments to his excellency the minister of foreign affairs, and has the honor to transmit to his excellency a copy of a despatch received from the Secretary of State of the United States, by which the undersigned is instructed to assist, on behalf of his government, in the adjustment or modification of the terms to be exacted from the Japanese by the three western powers named in the treaty which followed the hostilities jointly undertaken by them for the purpose of overcoming the resistance to the free passage of the Strait of Simonosaki.

The undersigned will be happy to wait upon and confer with his excellency the minister of foreign affairs whenever, in his excellency's opinion, a conference would promote the objects contemplated by the enclosed instructions.

The undersigned avails himself of this occasion to renew to his excellency the minister of foreign affairs the assurance of the high consideration with which he has the honor to be his excellency's very obedient and very humble servant,

JOHN BIGELOW.

Mr. Bigelow to Mr. Seward.

No. 192.] LEGATION OF THE UNITED STATES,
Paris, October 28, 1865.

SIR: I have the honor to enclose an address,* numerously signed by citizens of Caen, which, by the request of the subscribers, I transmit to you to be laid before the President. The delay in the transmission of the docu-

*See Appendix, separate volume.

ment is sufficiently explained in the letter to me which accompanied it, and of which I enclose a translation and my reply.

I am, sir, with great respect, your obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure No. 3 to despatch No. 192.]

CAEN, CALVADOS, *October* 20, 1865.

SIR: At the first news of the assassination of President Lincoln we had circulated the address which we send you so late to-day.

This address was covered with the signatures of the most prominent persons of our city, and names collected from all classes of society.

Wishing to add to the number, one of our friends took the address and caused it to pass from hand to hand, and finally it was mislaid for several months. It was impossible to think of asking for so many signatures over again, but happily we succeeded in finding the paper, and now hasten to send it to you.

We think, indeed, that it is never too late to testify once more the sympathy of the French people for the American people, and to add our felicitations to your President Johnson upon the re-establishment of the Union in a manner at once so conciliating and so energetic, so firm and so lawful.

Thus America gives to the Old World a great and noble lesson. Among us a powerful general, commanding nearly a million of soldiers, would have profited by that crime to proclaim that it was necessary to save the republic by a dictatorship, and he would at last have destroyed it for the profit of personal ambition.

With you the Constitution has been respected with a sublime simplicity. Grant, Sherman, and all your generals remain simple citizens, but great citizens.

We thank them; we thank your President and your noble American people for giving to us at this day the spectacle of the many virtues of the bright days of the Roman republic—to us, people of the Latin race, who have now before our eyes only Octaviuses without vigor, tottering in their buskins while trying to play the part of worn-out Cæsars amid the suppressed jars of Europe.

Hail, then, to Johnson, to Grant, to Sherman! Hail to all your citizens, and heaven grant that they may send back to France with the winds of ocean—with its tempests, if need be—those powerful blasts of liberty which it sent to them a century ago at its first awakening.

We salute you fraternally.

EDWARD TALBOT, *Proprietor.*
TÊTE, *Retired Merchant.*

Mr. BIGELOW, *Minister Plenipotentiary of the Republic of the United States, at Paris.*

[Enclosure No. 4 to despatch No. 192.]

Mr. Bigelow to Mr. Talbot

LEGATION OF THE UNITED STATES,
Paris, October 27, 1865.

SIR: I have the honor to acknowledge the receipt of your letter dated October 20, and of the address of the citizens of Caen to President Johnson, by which it was accompanied. I will at once give to this address the direction you have indicated.

I thank you for the sympathy for my country and its government, of which you have been kind enough to send me this expression, and I beg that you will convey my acknowledgments to those who have joined you in it.

Accept, sir, the assurance of my most distinguished consideration.

JOHN BIGELOW.

Monsieur EDWARD TALBOT, *Caen, Calvados.*

Mr. Bigelow to Mr. Seward.

No. 193.] UNITED STATES LEGATION,
Paris, October 28, 1865.

SIR: The assassination of President Lincoln set free in France a large amount of latent respect for his character, and for the cause to which his life was sacrificed, which till then had given scarcely any sign of its existence.

This fact, in view of its bearing upon the great events of which our country has been recently the theatre, has seemed to me of sufficient importance to justify the collection and preservation of the evidence by which it may be historically established. With that view I have directed a translation to be made of everything of consequence, I believe, that has appeared upon the subject in the political press of Paris, and have the honor to transmit to you the two volumes in which it is bound, by this post.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[For contents of the volumes above referred to, see Appendix, separate volume.]

Mr. Seward to Mr. Bigelow.

No. 294.] DEPARTMENT OF STATE,
Washington, October 30, 1865.

SIR: Your despatch of the 13th of October, No. 184, has been received. I thank you for the information you have given me of the manner in which my No. 264 was received by Mr. Drouyn de Lhuys, and I shall wait with interest for an account of the imperial purposes in regard to the matter therein presented.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 295.] DEPARTMENT OF STATE,
Washington, October, 31, 1865.

SIR: I acknowledge the receipt of your despatch of the 6th instant, No. 181, acquainting me with the gratifying manner in which the French press comment upon the course of the President, and our treatment of the rebel loan question.

I give you my thanks for your thoughtfulness.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., &c., &c., &c.

Mr. Seward to Mr. Bigelow.

No. 306.] DEPARTMENT OF STATE,
Washington, November 11, 1865.

SIR: I have to acknowledge the receipt of despatch of the 27th ultimo, No. 190, enclosing a copy of a communication addressed by you to their excellencies, the minister for foreign affairs and Lord Cowley, relative to the adjustment of the indemnity due the three western powers by the Japanese government.

Your proceedings therein mentioned are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN BIGELOW, Esq., *&c.*, *&c.*, *&c.*.

Mr. Seward to Mr. Bigelow.

No. 312.] DEPARTMENT OF STATE,
Washington, November 18, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of the 28th October, No. 193, together with the two manuscript volumes which are therein mentioned. Into these volumes have been collected the generous tributes which were spontaneously made by the press of France to the character of Abraham Lincoln, and the cause in which his life was sacrificed, when he was removed from his field of eminent service by the fearful and mysterious crime of assassination. It was a very just and happy thought on your part to make this collection, which is so honorable to France, and so entirely in harmony with the geniality of sentiment which distinguishes the French people. The volumes will be preserved in the archives of this government.

The President is of opinion that an acknowledgment of these tributes would be eminently just and proper. I have therefore to suggest to you the publication of this despatch if, upon an informal consultation with Mr. Drouyn de Lhuys, it should be found that such a publication would be agreeable to the Emperor's government.

A list of the contents of the volumes is appended to this communication.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Mr. BIGELOW.

Contents of Volume 1.

NEWSPAPERS.

Avenir National, L'; Constitutionnel, Le; Débats, Le; Epoque, L'; France, La; Gazette de France, La; Monde, Le; Moniteur Universel, Le; Opinion Nationale, L'; Patrie, La; Pays, Le; Presse, La; Siecle, Le; Temps, Le; Union, L'.

NAMES OF AUTHORS.

Aucaine, Felix; Bonneau, Alexander; Boucherie, C.; Carnot, P.; Claveau, A.; Cohen, J.; Delore, Faxile; Dréolle, Ernest; Escaude, A.; Le Francois, A.; Gaiffe, A.; Gauthaic, A.; Girardin, Emile de; Guerault, R. D.; Galluad, E. G.; Isambert, Gustave; Janicot, Gustave; Jauvet, George; Julland, F. B.; Labbie, J.; Ladet, Ulysse; Laurentie; Legault, L.; Limayrac, Paulin; Mahias, J.; Malespine, A.; Martin, Henri; Mason; Moreau, Henri; Nefftyer, A.; Paradol, Prevost; Perrin, Joseph; Peyrat, A.; Plee, Leon; Renauld, A.; Raineey, Henri de; Sanford, H. S.; Simon, Edouard; Texier, Edmond; Vermorel, A.; Voiseau, A.; Vrignault, H.

Contents of Volume 2.

NEWSPAPERS.

Avenir National; Constitutionnel, Le: Epoque, L'; Gazette de France; Journal des Débats; La France; Monde, Le; Moniteur, Le; Opinion Nationale; Patrie, Le; Presse, La; Revue des Deux Mondes; Temps, Le; Union, L'.

NAMES OF AUTHORS.

Assolant, Alfred; Baraton, J.; Beauer, E.; Bedolliére, Emile de la; Bonneau, Alexandre; Camus, F.; Carfort, Adde; Cassiniss; Cohen, J.; Dearfort, A.; Denise, E.; Didefils, L.; Dreolle, Ernest; Duboil, Réné; Escaude, A.; Felix, Eveque d'Orleans: Feydeau, Ernest; Foncault, Aubry; Gaiffe, A.; Gaillard, Leopold; Graudguillot, A.; Gullaud, E. B.; Isambert, Gustave: Jaubert, Georges; Jnip, Jules; Labbé, J.; Ladet, Ulysse; Laurentie; Lavergne, Bernard; Lavertigen, André; Le Francois, A.; Lemoine, J.; Limayrac, Paulin; Loek, Frederick; Luca, Francois; Mahias, J.; Malespine, A.; Nefftyer, A.; Paulin, A.; Perrin, Joseph; Peyrat, A.; Pruvet, E L.; Regnault, Elias; Reynculd, A.; Taconet, Eugene; Voiseau, A.

FRENCH LEGATION.

Mr. Seward to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, December 9, 1864.

SIR: Referring to your note of the 12th ultimo,* in regard to alleged construction in certain ports of the United States of vessels which are to be used as privateers, under letters of marque from President Juarez, of Mexico, I have the honor to enclose, in reply, a copy of a communication of the 26th ultimo from the War Department, from which it will be seen that all needful precautions, within the control of that department, have been taken to prevent the arming or fitting out of vessels to depredate on French commerce.

Accept, sir, the renewed assurances of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, *&c., &c. &c.*

Mr. de Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, January 3, 1865.

SIR: In many places, pertaining to Illinois, Michigan, Iowa, Minnesota, Wisconsin, the municipal authorities have recently assessed a tax, the product of which is especially intended as compensation to volunteer recruits, in order to avoid carrying the conscription law into effect.

A great number of our subjects, who are menaced with being subjected to this tax, have addressed his Majesty's consul at Chicago in remonstrance against this measure, and their letters may be summed up in that of Mr. Saguin, of which I have the honor to transmit, hereto annexed, a copy to your excellency. The population of certain counties, towns and villages comprises many French, who remain such, who have purchased and cultivated a noticeable part

* See pp. 250, 251, Part III, Diplomatic Correspondence, 1864.

of the land; such are the townships of Belleville, county of Dane, (State of Wisconsin,) and the county of Lee, (State of Illinois,) where French colonies have been formed, each member of which has religiously preserved his nationality.

It is evident that it would be veritable injustice, if for the personal exoneration of themselves from conscription—that is to say, from an individual duty inherent in their qualities—the American citizens in the above-mentioned localities, in the subdivision made by themselves of this tax, should cause it to bear upon foreigners; in other words, it would be contrary to the principles of equity, that whilst admitting that foreigners cannot be, against their will, compelled to do military duty, they can be obliged in any way to furnish substitutes.

I, in consequence, call the attention of your excellency to this subject, and pray you to be so good as to give the orders necessary that in future French subjects who reside in the United States, and have retained their nationality, be not subjected by the municipal authorities of the State they inhabit to a tax, which evidently can only concern American citizens.

Accept, sir, the assurances of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM SEWARD, *&c., &c., &c.*

Mr. d'Elpeux to Mr. Saguin.

[Translation.]

VICE-CONSULATE OF FRANCE AT CHICAGO.

Copy of a letter addressed to the vice-consul of France at Chicago by Mr. Saguin, physician and land-owner at Amboy, Lee county, Illinois.

DECEMBER 15, 1864.

SIR: I have the honor to inform you that I have been some days informed upon the mode of subdivision of a new tax which our county is about to levy to meet a sum of about $40,000, which is intended to pay for substitutes necessary to avoid a draft.

If I am well informed, foreigners, not naturalized, will have to pay their part as well as citizens, and in case of refusal their property will be immediately sold.

As this kind of law can only emanate from some local functionaries, I have room to believe that it is possible for us to evade such a vexation. If "foreigners should never be made soldiers against their will," (last message of the President of the United States,) it is quite natural that they cannot be held to pay for substitutes either directly or indirectly.

Many French people having asked my opinion on this subject, I have promised to inform them by the 1st January, the time assigned for paying the first annual payment on this impost. Consequently I request you, very humbly, Mr. Vice-Consul, to be so good as to let me know what we would have to do in such a case if it should be sought to make us contribute to the payment of the impost.

I have the honor to be, &c.

A copy certified by the undersigned, vice-consul at Chicago, 17th December, 1864.

RAVIN D'ELPEUX.

Mr. de Lhuys to Mr. de Geofroy.

[Translation.]

[Communicated by the French legation.]

No. 1.] DEPARTMENT OF FOREIGN AFFAIRS, POLITICAL DIRECTION,
Paris, January 5, 1865.

SIR: You know that the representatives in Japan from France, Great Britain, the United States, and the Netherlands, having deemed it to be indispensable to inflict, without further delay, on the Prince of Nagato, the chastisement called for by his attacks on foreign flags, the expedition in which the French, English, and Dutch ships-of-war, and an American mail-boat, took part, obtained the most complete success. The Daimio of Chio Chion recog-

nizing at once his powerlessness, bound himself to respect the freedom of navigation of the Strait of Simonosaki, and to pay the ransom of that city and the costs of the expedition. As soon as the cabinet of Yedo heard the result of the expedition it hastened to enter upon conferences with the agents of the four powers, and our last intelligence informs us that these had, at the date of 22d October, signed at Yokohama, with the plenipotentiary of the Taikoon, a convention which fixes at three millions of dollars (eighteen millions of francs) indemnity for the war made by the admiral on the Prince of Nagato, for the payment of which the Japanese government become guarantee. It is declared that this amount represents the sum of all claims, of every kind soever, based on the act of aggression by the Prince of Nagato, either in the way of indemnity, of ransom of the city of Simonosaki, or of expenses caused by the expedition of the allied squadrons. However, it is stipulated at the same time that the Taikoon can offer, in place of the indemnity offered, the opening of the port of Simonosaki or of any other port in the neighborhood situate on the inland sea; but that it shall belong to the signing powers to accept this offer or to hold to the payment of the indemnity in cash.

The colleagues of Mr. Leon Roches, after having at first had the intention of settling between themselves, in concert with the admirals, the part inuring to each one of the powers whose flag was present at the affair at Simonosaki, have thought with him that it was the better course to refer the care of settling this point to the four governments interested. They have decided, besides, that there shall be specially reserved to us, in the repartition of the indemnity, the sum of $140,000, which I had required, in my arrangment with the last Japanese mission to Paris, as reparation for the attack made in July, 1863, on the French mail-boat Kian Chan by the forts of the Prince Nagato on passing the strait. You will, moreover, find herewith a copy of the convention and of the memorandum signed by the French, English, Netherlands, and American agents.

The convention leaving to the signing powers the right to choose between the payment of the indemnity indicated and the opening of the port of Simonosaki, I have been led to think, after mature investigation, that it would be most politic and most advantageous to rest upon the first alternative.

I could not, in fact, consider the opening of the port of Simonosaki or any other neighboring port in the inland sea as a substantial compensation for the abandonment of our indemnity. Simonosaki is, without doubt, in fact an important strategic point; but it does not appear to me to fill any of the conditions necessary to the development of commerce. The navigation of the strait is very dangerous; the roadstead does not offer, it is said, sufficient depth of water, and the communications of the city with the interior are very difficult. It is therefore of little moment that the Prince of Nagato may have manifested, personally, a disposition favorable to the opening of Simonosaki to foreign commerce. What was essential was that this Daimio should no longer believe that he had the right and the power to interdict access to the inland sea to European flags. The lesson he has received must have convinced him of his powerlessness in this respect. It is, therefore, no less than probable, and such also is the opinion of the admirals, that he would like to fall back from his former attitude, and were it otherwise, that the temporary apparition of a ship-of-war would make him understand the danger. Things would not go on thus if a new port were opened on his shores; it would require thought about the means for the permanent protection of the foreigners who would go there to establish themselves; and the new expenses which would result therefrom would not be in proportion to the advantages which would be derived from it.

The immediate opening of Hioga and Asacca would have been alone of a nature, in our view, to justify the abandonment of the indemnity. Asacca, of which Hioga is the port, is in fact the most important commercial point in Japan. All the agricultural and manufactural productions of the country abound there; there the rich bankers and great native merchants reside. One might have been justified in hoping for profit enough from this measure to feel warranted in substituting it without hesitation for the indemnity. But since it has not seemed opportune to claim as yet the execution of the article of our treaties which gives us the right to begin at Asacca, it is better to wait the now sufficiently near expiration of the time we have granted to the Japanese government, and then exact the opening of this port, without seeking elsewhere advantages which in reality we shall only find there.

In my opinion, it would, therefore, be well to declare to the cabinet of Yedo that we hold to the payment of the indemnity stipulated; the opening of a port such as that which is in reserve to be offered to us being in our eyes of secondary importance, whilst we have not yet access to those which our treaties should open to us in full right.

I desire you to communicate these opinions to Mr. Seward. I should see with pleasure, if his manner of regarding it should, as I hope, accord with mine, that he would be pleased to instruct the representative at Japan, Mr. Pruyn, about it.

Accept, sir, the assurances, &c.

DROUYN DE LHUYS.

Monsieur DE GEOFROY,
Chargé d'Affaires de France.

Mr. Seward to Mr. Geofroy.

DEPARTMENT OF STATE,
Washington, January 16, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 3d instant, requesting that the plea of certain French subjects residing in the United States be relieved from the burden of a tax imposed for the purpose of compensating volunteer recruits may be granted, and, in reply, to inform you that the tax is not a local one, but is imposed by State law, in conformity with State constitution, for public and general purposes, and domiciled aliens are entitled to no exemptions from burdens of the State.

Accept, sir, a renewed assurance of my high consideration,

WILLIAM H. SEWARD.

MR L. DE GEOFROY, *&c., &c., &c.*

Mr. Geofroy to Mr. Seward.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, March 24, 1865.

SIR: Colonel Woodford, who commands Charleston, published on the 6th of this month an order which you are doubtless acquainted with, and in virtue of which "authority to carry on trade after the first of April will not be granted except to individuals who shall have taken the oath of allegiance to the United States, and obtained, in consequence, a permit." This order having been applied to a number of French subjects, retail traders who reside at Charleston, the consul of his Majesty at that city went to Colonel Woodford's quarters to represent to him the ruinous consequences which would fall upon them; to which the colonel replied that, in publishing his order of 6th March, he had done nothing but obey the instructions of General Sherman, that citizens of the United States alone would be authorized to carry on trade, and even upon condition that they should arm for the defence of the city, should it be attacked by the confederates, and that this condition of things would be prolonged so long as martial law should be in force at Charleston. He added that it would be impossible for him to modify the orders of the general-in-chief, but that he was disposed to offer to the French the facilities they should wish for leaving Charleston.

The consul of his Majesty has represented that many of these French, on the one hand, would be ruined if they were to leave Charleston under existing circumstances, and that, on the other hand, they cannot subsist there without working. He has added, and affirms, that the conduct of any of them during the war has not been of a nature to justify the harsh treatment to which it is sought to subject them. The individuals to whom permits have been refused were not engaged in trade in articles imported in vessels which forced the blockade; they have in their stores only some tobacco of Virginia and Florida.

I, in turn, beg your excellency to be so good as to let me know whether the government of the United States approves the order of General Sherman, and whether it intends that it is to be applied without distinction to all foreigners as a natural consequence of the state of siege; in a word, to give precision to the question whether the peaceable foreigner, not having taken part in hostilities, and having always observed the duties of neutrality, has no longer the right to

remain and live in Charleston without renouncing his nationality, which is the consequence forced upon him by the oath of allegiance.

I should have the honor in this case to observe to your excellency, first, that Charleston is not a besieged city, and that the existing state of things does not cause the presage that it would be. Even admitting that this were so, I would remind you that in analogous cases, especially after the occupation of Memphis, the legation of the Emperor, desirous to anticipate difficulties, and to yield as much as possible to the hard necessities of war, consented last year, by way of exception, and without inducing any consequence, to the authorizing of the subjects of his Majesty to join the urban militia, and even, in case of attack, contributing to the defence of the city, saving always the reservation that it would claim their exemption if this militia should go into the field, and had to do outside the duty of regular troops. But such concession is evidently the extreme limit to which it could go without entire abandonment of its countrymen. It is also, in my opinion, the last which the law of war and the necessities of defence permit the government of the United States to claim from foreigners. To seek, besides, to force these to abjure their nationality, or to be sent away, that is to say, ruined and reduced to want, would be to press, even to inhumanity, the application of the axiom that every one is master of his own home.

I therefore please myself with the hope that the government of the United States will modify, in respect of what is absolute, the measure taken by the military commanders, and seize this occasion to offer to your excellency the fresh assurance of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

[Translation.]

Mr. de Geofroy to Mr. Seward.

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, March 27, 1865.

SIR: By two decrees, dated June 22 and the 1st of last month, the Emperor has ordered that a universal exhibition of the productions of agriculture, manufacture, and the fine arts should be opened at Paris May 1, 1867. Another decree, also issued February 1, of this year, and published in the Moniteur the 21st of the same month, has placed this grand international solemnity under the direction and supervision of a commission, the presidency of which has been confided to his Serene Highness Prince Napoleon.

Such a selection bears too high testimony to the importance which the Emperor attaches to the success of this universal exhibition to leave any need to dwell upon it. As to the commission, it is composed of several of his Majesty's ministers, of high functionaries of state, as well as of the most competent of notable individuals.

The government of his Majesty charges me to give notice, officially, of these aforesaid decrees to the cabinet of Washington, to invite its valuable concurrence, and to designate an authority with which the imperial commission could have a direct understanding.

It would also be of advantage, to avoid all loss of time, that the government of the United States should make choice at Paris of an agent who would be specially delegated to be near his serene highness the Prince Napoleon.

This mode of procedure is the most suitable channel, and the speediest, to convey to the knowledge of the imperial commission the wishes of the exhibitors from abroad.

The government of his Majesty would attach a high value to being informed as early as possible of the result of the steps I am charged to take which have an exceptional character of urgency.

The objects sent to the exhibition will be received, in effect, in a palace constructed for the occasion of this solemnity, and the size of which should meet the actual need of the exhibitors of all nations. But that the general arrangements and plans which shall be adopted may be in relation with the claims for space which will be preferred, it will be necessary that the imperial commission should know, with the least delay, what States will take part in the exhibition, and how much space each would desire to obtain.

In ending the letter he has written to me on the subject, the minister for foreign affairs adds that he is gratified to hope that the government of the United States will show a disposition to facilitate, so far as it is concerned, the success of the work confided to the imperial commission. It is too enlightened not to appreciate the advantages of these solemnities, at which nations contract new ties, collect useful and mutual lessons, and thus assure the development of their prosperity.

Accept, sir, the assurances of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM H. SEWARD, *&c., &c., &c.*

Mr. Seward to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, March 29, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 24th instant, respecting the inconvenience arising to French subjects domiciled in Charleston, by the order of Colonel Woodford, requiring persons wishing to remain within that city to take the oath of allegiance to the United States, and to inform you that this government has had this subject under consideration upon the representations of the ministers of Great Britain and other countries. The order was made by Major General Sherman, commanding, and is deemed at present necessary as a military measure. It is applied to all foreigners of whatever nationality, and is limited in time by the necessities of the military situation.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. L. DE GEOFROY, *&c., &c., &c.*

Mr. Seward to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, April 7, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 27th ultimo, in regard to the arrangements made by the imperial government for opening at Paris, in the year 1867, a universal exhibition of the productions of agriculture, manufactures, and the fine arts.

I have the honor to inform you that I have conveyed to the minister for foreign affairs of his Imperial Majesty, through Mr. Bigelow, the minister of the United States at Paris, the reply of this government to the very courteous invitation contained in your note.

A copy of my instruction to Mr. Bigelow, which bears the date of the 5th

instant,* is enclosed for your information; and I have the honor to acquaint you that the correspondence which has taken place on the subject will be immediately made public.

Accept, sir, a renewed assurance of my highest consideration.

WILLIAM H. SEWARD,
By F. W. SEWARD,
Assistant Secretary.

Mr. L. DE GEOFROY, *&c., &c., &c.*

Mr. de Geofroy to Mr. Hunter.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, April 16, 1865.

SIR: I have received the note by which you announce to me the sad events which now afflict the people of the United States.

You please to inform me at the same time that the Vice-President, Andrew Johnson, has, under the Constitution, officially entered into possession of the presidency, and has authorized you, sir, to fill, until further order, the functions of Secretary of State.

I only anticipate the instructions of my government in assuring you of the deep and painful regret with which it will learn the death of President Lincoln, and other outrages which accompanied that great crime. That it will take very lively interest in your calamities, you cannot doubt. Please, therefore, receive all the condolences which I this day offer to you in its name, to which I add at the same time the very sincere expression of my personal feelings.

I renew to you, on this occasion, the assurances of my most distinguished consideration.

L. DE GEOFROY.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

Mr. de Geofroy to Mr. Hunter.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, April 22, 1865.

SIR: The French community at New York held on Tuesday, the 18th of this month, a meeting under the presidency of the consul general of his Majesty in that city, where a series of resolutions was adopted, of which three copies have been sent to me; one for the government of the United States, another for the family of the deceased President Lincoln, and a third for that of Mr. Seward.

These resolutions express the indignation and the sorrow which the horrible outrages of the last week have caused our countrymen to experience.

I pray you, sir, to be so good as to cause these papers to reach their destination, and I seize this occasion to renew to you the assurances of my most distinguished consideration.

L. DE GEOFROY.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

[For enclosures see Appendix, separate volume.]

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* See instructions No. 105 to Mr. Bigelow, current series.

Mr. de Geofroy to Mr. Hunter.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, April 26, 1865.

SIR: I have the honor to send to you, requesting you will please to cause them to reach their destination, two letters of condolence addressed by the French community in Philadelphia to Mrs. Lincoln and to Mr. William H. Seward.

Accept, sir, the assurances of my high consideration.

L. DE GEOFROY.

Hon. WILLIAM HUNTER, *&c., &c., &c.*

[For enclosures see Appendix, separate volume.]

Mr. de Lhuys to Mr. de Geofroy.

[Translation.]

[Communicated by the French legation.]

DEPARTMENT OF FOREIGN AFFAIRS,
Paris, April 28, 1865.

SIR: The news of the crime of which President Lincoln has recently become the victim has caused to the imperial government a profound sentiment of indignation.

His Majesty immediately charged one of his aides-de-camp to repair to the residence of the minister of the United States, to ask him to transmit at once the expression of his indignation to Mr. Johnson, who is now invested with the presidency. I also desired myself, by the despatch which I addressed to you of yesterday's date, to apprise you without delay of the sorrowful emotion we have felt; and I have to-day, in conformity with the will of the Emperor, to render merited homage to the great citizen whose loss the United States deplore.

Elevated to the chief magistration of the republic by the suffrage of his countrymen, Abraham Lincoln had brought to the exercise of the powers placed in his hands the most substantial qualifications. Force of character was allied in him with loftiness of principle; therefore his vigorous spirit never quailed before the terrible trials reserved for his government. At the moment when an atrocious crime snatched him from the mission which he filled with the sense of religious duty, he enjoyed the consciousness that the triumph of his policy was definitively assured.

His recent proclamations are traces of the thoughts of prudence which inspired him in undertaking resolutely the task of reorganizing the Union and of consolidating peace.

The supreme satisfaction of accomplishing this work has not been accorded to him. But in gathering up these last testimonials of his high wisdom, as well as the examples of good sense, of courage, and of patriotism which he has given, history will not hesitate to place him in the rank of citizens who have done most honor to their country.

By order of the Emperor, I transmit this despatch to the minister of state, who is charged to communicate it to the senate and legislative body. France will unanimously take share in this thought of the Emperor.

Receive, &c.

DROUYN DE LHUYS.

Mr. L. DE GEOFROY,
Chargé d'Affaires of France, Washington.

P. S.—You will please remit a copy of this despatch to the Secretary of State of the United States.

[For acknowledgment of receipt of above communication see instructions to Mr. Bigelow, of May 22, No. 155.]

Mr. Hunter to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, April 29, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 22d instant, transmitting three copies of resolutions adopted by French residents of the city of New York, at a meeting held on the 18th instant, and presided over by the consul general of France, expressive of their indignation and sorrow at the assassination of President Lincoln and the attempts to take the lives of the Secretary and Assistant Secretary of State.

I shall find much satisfaction in causing the copies of these humane and characteristic resolutions of your generous countrymen to be disposed of in the manner indicated in your note.

Accept, sir, a renewed assurance of my very high consideration.

W. HUNTER, *Acting Secretary.*

Mr. L. DE GEOFROY, *&c., &c., &c.*

Mr. Hunter to Mr. de Geofroy.

DEPARTMENT OF STATE,
Washington, April 29, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 26th instant, transmitting a letter of condolence addressed to Mrs. Lincoln by French residents of Philadelphia, and a copy of their just and friendly resolutions adopted at a meeting of the French Society of Beneficence, held on the 22d instant, expressing the sentiments and sympathies inspired by the recent atrocities committed against the late President and the Secretary and Assistant Secretary of State.

I have the honor to inform you, in reply, that your request in regard to the disposition of these papers shall be complied with.

On behalf of the government of the United States, I must beg you to convey to Mr. Destonet, the president of the society, an expression of its grateful sense of the spirit manifested in their proceedings.

Accept, sir, a renewed assurance of my high consideration.

W. HUNTER, *Acting Secretary.*

Mr. L. DE GEOFROY, *&c., &c., &c.*

M. Montholon to Mr. Hunter.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
New York, June 4, 1865.

SIR: A despatch dated 19th of May, which I received this instant from his excellency M. Drouyn de Lhuys, informs me that the Emperor's government has revoked the regulation which limited to twenty-four hours the period of sojourn of vessels-of-war of the Union in the ports of France.

I hasten to bring this decision to your knowledge, begging you to communicate it to his excellency the President of the United States.

Accept, sir, I pray you, the assurance of my high consideration.

MONTHOLON.

Hon. WILLIAM HUNTER,
Acting Secretary of State, Washington.

Mr. Seward to M. Montholon.

DEPARTMENT OF STATE,
Washington, June 15, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 4th instant, informing this department of the revocation by the government of France of the regulations limiting the stoppage of United States vessels-of-war in the ports of France to twenty-four hours. In reply I have the honor to state that in compliance with your request, this decision has been made known to the President of the United States.

Accept, sir, the renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, *&c., &c., &c.*

M. Montholon to Mr. Hunter.

[Translation.]

LEGATION OF FRANCE TO THE UNITED STATES,
Washington, June 24, 1865.

SIR: The Swiss government addressed to that of his Majesty, at the close of last year, a communication relative to a project consisting in authorizing Swiss citizens, owners of ships, to carry at sea the federal flag—that is to say, to create a Swiss navy—and has suggested his excellency M. Drouyn de Lhuys to let it know whether the government of the Emperor would be willing to—

1st. Admit to its ports Swiss vessels, expressly authorized by the federal council to carry the Helvetic flag.

2d. To assure to them the like legal position as to vessels of other nations.

3d. To grant to Swiss established in the respectives states to build and freight Swiss vessels.

At first view no objection seemed to present itself to the project of the federal council, the open sea being free, and therefore access to it open to all; however, like myself, you, sir, will, without doubt, be of opinion that the geographic situation of Switzerland, which does not bound on the sea at any point, might give rise in practice to certain difficulties, about which there is subject for previous consideration.

International law has, in fact, imposed on all navies, in view of maritime police, and especially of nationality, regulations and duties, the first guarantee of which is found in the port of registry.

We must, then, at once question whether a country which has not any port of registry could, for want of this port d'attaché condition, offer equivalent guarantees, or such as other powers should be contented with.

On the other hand, how could the right of jurisdiction of Switzerland over crimes and offences committed on board its ships be exercised, either on the high seas or within the territorial waters of another state, since the Helvetic confederation is almost without means for the direct arrest of the guilty? In fine, would not the recognition of this new flag be of a nature, in view of commercial relations, to give rise to difficulties, either in times of peace or of war?

Such are the main points on which the government of his Majesty, without pronouncing its decision, would attach importance to learning the manner of viewing it of the different maritime powers, and has charged me to sound in this respect the disposition of the government of the United States.

It is, I think, superfluous to add, that if the questions put by the Helvetic government to that of the Emperor raised in the opinion of the cabinet of Wash-

ington other objections than those which I have had the honor to communicate to you, I will be obliged to you to impart them to me, and I will hasten to transmit them to his excellency M. Drouyn de Lhuys.

Accept, sir, the assurances of my most distinguished consideration.

MONTHOLON.

Hon. WILLIAM HUNTER,
Acting Secretary.

Mr. Seward to M. Montholon.

DEPARTMENT OF STATE,
Washington, July 7, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 24th ultimo, relative to a communication addressed by the Swiss government to that of his Imperial Majesty upon the subject of the creation of a Swiss navy, and at the same time informing me that the government of France, before pronouncing its decision, have desired to obtain the views of the various maritime powers with regard thereto, and that for this purpose you are charged to ascertain the views of this government upon the subject.

In reply I have the honor to state that a similar communication to this government has been made and reported by the government of Switzerland; but that, in consequence of the war, in which we have so long been engaged in suppressing domestic insurrection, the consideration of the subject has been postponed until a period more favorable for it.

I beg you to assure Mr. Drouyn de Lhuys that the gravity of the question, and the courtesy of the imperial government towards the United States in regard to its solution, are highly appreciated.

Accept, sir, the renewed assurances of my high consideration.

WILLIAM H. SEWARD.

The MARQUIS DE MONTHOLON, *&c., &c., &c.*

RUSSIA.

Mr. Clay to Mr. Seward.

[Extract.]

No. 62.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, November 14, 1864.

SIR: In obedience to your directions I read to Prince Gortchacow your despatch, and gave him your two printed reports in reference to the intercontinental telegraph. I also introduced to him Hiram Sibley and P. McD. Collins, esquires, and asked an audience for the same gentlemen of his Majesty the Emperor. And on yesterday, at the palace of Tzarshoe Leto, his Imperial Majesty received them with especial courtesy, and promised them his cordial co-operation in this great enterprise.

All the persons who are connected with this line, in the administration, have been consulted, and seemed well disposed to give our countrymen all the aid in their power towards the perfection of the charter, the rectification of the route, and all other facilities in its structure.

As our American friends are very anxious to have a branch of their continental line running into the populous and wealthy country of China, I shall ask of this government at once to aid us, through their minister in China, to procure a charter there. Should this course meet your views, you can interest our minister, the Hon. A. Burlingame, to co-operate with the Russian authorities in this matter.

The Russian Fur Company seem friendly and anxious to co-operate with our friends in carrying on their work, and seem to have also all confidence in their success. * * * * * * * *

I am truly your obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Clay to Mr. Seward.

[Extract.]

No. 63.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, November 22, 1864.

SIR: Your despatch No. 688 (circular) is received, for which I thank you.

I have this morning telegraphic news of the re-election of A. Lincoln as President. I feel that our country is now secure of the future; that slavery will be abolished, the Union restored, and that we will henceforth take our true position in the world as the leaders in all liberalism in fact, as we have heretofore been in theory. * * * * * * *

I am, sir, your obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Clay to Mr. Seward.

[Extracts.]

No. 64.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, November 22, 1864.

SIR: To-day his Imperial Highness the Grand Duke Constantine, who has just returned from abroad, sent his aide-de-camp to invite me to make him an informal visit. I was received in the most cordial manner and without any ceremony. He said he desired to thank me for the good understanding which existed between the Emperor and the United States, which was owing to my good offices and friendship, and he desired also in person to return, through me, his grateful appreciation of the cordial reception of the Russian fleet in America. I replied that the debt of gratitude was from us to his Imperial Majesty; * * * * * * that our people fully appreciated this fact; and though we could not rival Europe, perhaps, in the magnificence of our public fêtes, we trusted that we had not been wanting in heart. He spoke again of how much their officers were gratified; complimented our navy—said Russia had imitated us and built ten monitors; that they performed well, and would be effective for defence and offence against all the nations bordering on the Baltic. He gave it as his opinion that the monitors, by increase of bulk, might be successful as sea-going vessels; but that caution was to be used, and experience should determine. He complimented also the gallantry of our naval officers, and especially Commodore Farragut. He then asked me about our affairs. I told him that Mr. Lincoln was re-elected, and that I thought it would discourage the south, and hasten and make sure the restoration of the Union; that the exhaustion of the south was proven by the fact that the arming of the slaves was freely spoken of; that this was equivalent to a threat to blow up the ship rather than surrender. He said that the blacks were treated with more equality there than in free States, and it did not seem so certain that they would abandon their masters. I replied that the southern regard for the negro and social equality with the blacks was only apparent; that slaves could sit with the families of masters and be indulged in some privileges which were denied them in the north, but that the poor white of the south was more intolerant of slave or negro association than even the northerners; that human nature was about the same, and blacks could hardly be supposed so foolish as to fight against their liberators to retain their wives and children in slavery.

The grand duke then expressed his fears that a "reconstruction" of hostile States after conquest would add no strength to our nation. This idea of difficulty I told him was altogether English and European; that those interested in slaves could not be more than one and a half million at the most liberal count; that all the rest, white and black, were in interest opposed to slavery; and that we had only to break down the tyranny of the rebel masters, and then we found no difficulty in showing the masses their true interests; that as a matter of fact the reconstructed States were more loyal than many free States, for they had felt the evils of slavery and secession more.

At these views the grand duke seemed much gratified, as they evidently were new to him, and he seemed pleased that our future strength would not be impaired by the rebellion, for the English view prevails all over Europe that we shall be permanently injured by the war even if the Union is restored, as our great resources are not known.

His Imperial Highness thanked me for the brochure account of my reception by the Russian fleet, which I had sent him; and once more wishing that our

friendship, which "was based upon substantial interests," should be lasting, he took leave of me. * * * * * * *

I am your obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Clay.

No. 108.] DEPARTMENT OF STATE,
Washington, December 13, 1864.

SIR: I have to acknowledge the receipt of your despatch of the 14th ultimo, No. 62, giving an account of your proceedings in carrying out the suggestions contained in the instruction of the 24th of September last, No. 85, and proposing that Mr. Burlingame be instructed to co-operate with the Russian authorities in any efforts they may make towards securing permission for the extension of a branch of the Collins overland telegraph into China. These proceedings are approved, and the courtesy of the Emperor on the occasion of the presentation of Messrs. Collins and Sibley is highly appreciated.

I have lost no time in addressing an instruction to Mr. Burlingame in the spirit of your proposition.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

P. S.—I enclose a press copy of my instruction to Mr. Burlingame of this date.

Mr. Seward to Mr. Clay.

No. 110.] DEPARTMENT OF STATE,
Washington, December 19, 1864.

SIR: I enclose herewith, for your information and guidance, a copy of an order issued by this department on the 17th instant, directing that, with the exception of immigrant passengers, no traveller shall be allowed to enter the United States without a passport signed and viséd by an American minister or consul. You will make this fact known to the Russian government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

[Enclosure.]

DEPARTMENT OF STATE,
Washington, December 17, 1864.

The President directs that, except immigrant passengers directly entering an American port by sea, henceforth no traveller shall be allowed to enter the United States from a foreign country without a passport. If a citizen, the passport must be from this department, or from some United States minister or consul abroad; and if an alien, from the competent authority of his own country; the passport to be countersigned by a diplomatic agent or consul of the United States.

This regulation is intended to apply especially to persons proposing to come to the United States from the neighboring British provinces. Its observance will be strictly enforced by all officers, civil, military, and naval, in the service of the United States, and the State and municipal authorities are requested to aid in its execution. It is expected, however, that no immigrant passenger, coming in manner aforesaid, will be obstructed, or any other persons who may set out on their way hither before intelligence of this regulation could reasonably be expected to reach the country from which they may have started.

WILLIAM H. SEWARD.

Mr. Seward to Mr. Clay.

No. 112.] DEPARTMENT OF STATE,
Washington, December 26, 1864.

SIR: Your despatch of the 22d of November, No. 64, has been received.

I thank you for the very interesting account it contains of a conversation with the Archduke Constantine. It manifests much sagacity, and certainly very friendly sentiments towards the United States. Nevertheless, the misconception of our actual condition which it reveals makes me wish it were possible for him to come out and spend a few months in America. I think it would be beneficial to us, and by no means unprofitable to Russia. I forbear from specifying my reasons. They will readily occur to you, as they would to his Imperial Majesty if his thoughts were once turned in that direction. Of one thing he might be assured: that coming as a guest of this government he would receive a cordial and most demonstrative welcome by it and by the people.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Clay to Mr. Seward.

No. 68.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, January 8, 1865.

SIR: I have the honor to acknowledge the receipt of your despatches, Nos. 110 and 111, with the accompanying documents.

I have notified the Russian government of our now requiring passports from all visiters of the United States.

The department will possibly be interested in the following review of Russian liberalism:

1. *Serf-emancipation.*—Emancipation began with Nicholas I. The freedmen were not numerous, and were styled "Paysans obligés," which may be translated into "bound peasants." They were liberated, but bound to pay an annual stipend for a term of years. There was also land given them in the western provinces on conditions, but all was imperfectly executed. Alexander II, upon ascending the imperial throne, pledged himself to "justice and mercy" in the administration of his empire. He has bravely and wisely redeemed his vows, by the liberation of about 22,000,000 of serfs in Russia and Poland. As the plan of Nicholas failed, perhaps, because, having no land, the serf was still dependent upon the proprietors, Alexander gave each serf land, to the amount of about an average of three English acres. The serf paid the landlord about nine roubles, $\$\frac{78}{100}$, per desatine, (1½ English acres,) and some personal service for a term of years. If the land was refused, the serf was free at once. The government aids the serfs by loaning them money at six per cent. per annum, for forty-nine years, when they are freed from further payment.

The quantity of land, the value thereof, and the terms of service, were determined by commissioners in the several provinces. The proceedings are voluminous, and the results variant. This illustrious decree was passed by the Emperor the 17th February, 1861, (O. S.) It has been bravely carried out. At first there was great opposition on the part of the nobles. The limited service was not understood by the peasants, and many mutinies broke out, which were often encouraged by the proprietors, but they were promptly put down by the army. The serfs were not slow to find out that the Emperor was their true friend; the army sympathized with the government, and the nobles were left without the power of resistance. The great fires in St. Petersburg (1862) were thought to be by their instigation, to create a pauper and revolutionary element. The Emperor came in from Tzarshot Leto, and without a guard, as is his custom. He rode alone with the Héritier and two aides-de-camp, and superintended the suppression of the fires, and by his courage extinguished all hopes of a successful revolt. Since then the system has, after a little "vis-inertiæ" at first, worked well, and proprietors look for an early recovery of their ancient revenues.

2. *Municipal franchises.*—These extend to the economical expenditures of the local administrations, and to the election of justices of the peace, and so on.

3. *New code of laws.*—The new code of laws is the result of the work of a commission (who have studied all the codes of the more civilized nations) revised by the imperial council. It was promulgated by an ukase dated 20th November, 1864, (O. S.)

There are five tribunals: 1. Justices of the peace, elected for three years by the whole land-holders. 2. Sessions of justices—that is, a number of justices, forming a court of appeals from the decision of a single justice. 3. Circuit courts. 4. Judicial chambers. 5. The senate; the highest court of appeal. All but justices of the peace are appointed by the Crown. The courts now will sit with open doors, verbal testimony will be allowed, attorneys appointed, and, in criminal cases, trial by jurors elected by the people. These great reforms are the beginning of a new era. Railroads and telegraphs and manufactures are encouraged. A great future lies before the nation.

I am, sir, your obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Clay to Mr. Seward.

No. 70.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, January 12–24, 1865.

SIR: Your despatch No. 116 and circular No. 205 are received. The execution of your despatch No. 112 being left to my discretion, I refrained from making a formal invitation to the Grand Duke Constantine through the usual channel, the foreign department, thinking it best to communicate directly with himself. So last night, at a ball at the Winter Palace, I told him that our government had desired me to say that it would be agreeable to them to have him visit the United States for a few months—see our country and our people. That we understood the course he had taken in the liberal reforms of Russia; and whilst we were ready to honor all of the imperial family, yet there seemed to be especial propriety in selecting him as the nation's guest. That he could dictate the terms of the invitation, could make it more formal, or come apparently of his own motion; but that in either case we would give him such an ovation as had not often been seen since the fall of the Roman empire.

His Imperial Highness seemed much gratified at our good will. He said, "Nothing would give him more pleasure than to visit America; that he had always desired to see it; that it had been the intention of his father, the Emperor Nicholas, to send him there, but that he had unfortunately married at about the age of nineteen years; that a man should never marry till he was twenty-five or thirty; that even now he should be glad to carry out his original design, but he had lately been appointed the president of the council of the empire, the duties of which were important just now; and he could not possibly be absent. He thanked me and the government for our kindness, and expressed again his regret at not being able to accept our hospitality." I urged him not to decide at once, but to take time for consideration. He replied, "he could not now alter his resolve; but that he would not abandon forever the hope of yet seeing our country, and examining our navy for himself."

During the same evening his Imperial Majesty said to me that his brother had advised him of our conversation, and that he desired to return me his thanks for my amiable intentions towards his family. I replied that the government had left it to my discretion how to deliver their invitation; and that I had thought it best to communicate directly with his imperial brother. He said I was quite right; but as the grand duke had been made president of the council, it was impossible now to spare his services.

So at present we must rest content with the result. I am convinced, however, that the compliment is duly appreciated, and will forward that good understanding between us, which seems to be more and more confirmed each year of my sojourn at this court.

Mr. J. Curtin was presented to his Imperial Majesty on the first of January, 1865, O. S., and addressed him in the Russian language. To this fact, so rare here, the Emperor alluded last night, and said Mr. Curtin pronounced Russian like a native. Such compliments to Russian nationality, which is very intense, are not unappreciated here by the Emperor or the people.

I am, sir, with great respect, your most obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Clay.

No. 121.] DEPARTMENT OF STATE,
Washington, January 24, 1865.

SIR: I have to acknowledge the receipt of a copy of your communication of the 2d ultimo to the Russian minister for foreign affairs, upon the subject of the Chinese telegraph in completion of Mr. Collins's design of the intercontinental line. You will, by a perusal of my instruction of the 13th ultimo, (No. 108,) have confirmed your observation to Prince Gortchacow, that in your proceedings you but anticipated the wishes of this government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Clay.

No. 124.] DEPARTMENT OF STATE,
Washington, February 7, 1865.

SIR: Your despatch of the 8th ultimo, No. 68, treating of the emancipation of the serfs, and the promulgation by the Emperor of a new code of laws, has

been received. These reforms are very creditable to the government of Russia, and they cannot but be gratifying to friends of liberty and humanity throughout the world.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., &c., &c., &c.

Mr. Seward to Mr. Clay.

No. 127.] DEPARTMENT OF STATE,
Washington, February 11, 1865.

SIR: I have received your despatch of the 16th of January, No. 69. I shall take great pleasure in communicating to the navy the note of Vice-Admiral Kralbe, the Russian minister of marine, on the subject of the monitors.

Captain Glisson, of the Saintiago de Cuba, has just left me. He was active in the two terrific and effective bombardments of Fort Fisher. He speaks in terms of unbounded admiration of the monitors which were engaged on those occasions, and declares that while some of them have defects, not by any means irremediable, yet that as a class those vessels are invaluable for purposes of national defence.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., &c., &c., &c.

Mr. Seward to Mr. Clay.

No. 130.] DEPARTMENT OF STATE,
Washington, February 27, 1865.

SIR: I have received your despatch of the 12th (24th) ultimo, No. 70, in which you inform me that you had delivered to his Imperial Highness the Grand Duke Constantine the invitation which you were requested to convey to him in instruction No. 112. It gives me pleasure to express my approval and commendation of the manner in which you proceeded to comply with that request.

It is very much regretted that the grand duke is unable to accept the invitation; but it is hoped that at some future and not distant time he may find it possible so to honor the government and people of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., &c., &c., &c.

Mr. Clay to Mr. Seward.

No. 72.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, March 24, 1865.

SIR: I have the honor to enclose you all the correspondence between this legation and the Russian government concerning the intercontinental telegraph, marked C C C.

I am glad to inform you, also, that the charter to P. McD. Collins & Co. has (after long and elaborate specifications made) been substantially agreed to, by the representatives of the company and the Russian government, as originally approved by the Emperor Alexander, in 1863, and is now the law of the land.

I congratulate you upon this auspicious result, which marks a new era in the intercommunications of the nations, and which must greatly promote the civilization of our race, and tend to bind all to keep the peace of the world.

As soon as the grant is formally reported, I will enclose you a copy in full.

I have the honor to be your most obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

P. S.—Mr. Hiram Sibley left for Berlin a few days ago, and Mr. Perry McDonald Collins will set out for the same place to-morrow, by whom I send you this despatch.

CLAY.

C C C.

Mr. Clay to Prince Gortchacow.

No. 57.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, November 20, *(Dec.* 2,*)* 1864.

The undersigned has the honor to enclose to his excellency Prince Gortchacow, vice-chancellor and minister of foreign affairs, a paper marked A A, by Perry McD. Collins, esq., upon the subject of a Chinese telegraph. Mr. Collins, in completion of his design of the intercontinental telegraph now being built between Russia and the United States, desired to extend the Russian portion of the line into China; and at some future time, perhaps, into Japan, and other countries lying in that direction.

The reasons for such extension are therein fully stated, and leave the undersigned nothing to add. He is assured that the Western Union Telegraph Company, of the State of New York, who are the corporators laying the intercontinental line, have the pecuniary means to make the Chinese line ready, and think they will be able to complete the said line in one year after commencing the work.

The American minister feels that he will but anticipate the wishes of his government in asking the co-operation of the imperial foreign department in procuring from the authorities at Pekin the necessary grants to authorize the above-named company to undertake the work.

The undersigned has reason to believe that England has already sought to connect India with China by telegraphic lines; and should she succeed, the commercial intelligence of those vast, populous, and wealthy regions might be permanently diverted from the Russian line, which is the natural route to western Europe.

The American minister need not suggest to his excellency that the interests of Russia and America in this project are identical, nor urge upon him the necessity of joining our minister at Pekin in soliciting the necessary grants of power.

The American minister begs leave to renew to Prince Gortchacow the assurance of his most distinguished consideration.

C. M. CLAY.

A A.

Mr. Collins to Mr. Clay.

ST. PETERSBURG, *November* 16–28, 1864.

EXCELLENCY: The progress of telegraphs within the last fifteen years has been so eminently, practically successful, that we may assume that their usefulness has not as yet satisfied the wants of the whole world. When some eight or ten years since I proposed the construction of a telegraph to unite Europe with America across Asiatic Russia, but few persons could be found to listen attentively to a plan that appeared so difficult of solution. Since that time, however, the telegraph in natural development has outstripped even the hopes of many of its best friends, while its enemies have been left in utter dismay. I need not recount to your excellency either the history or the progress of the idea of telegraphic union between Russia and the United States, because you have been a co-worker and advocate in this great undertaking.

Russia, England, and the United States have united in according o me certain privileges, under which it is hoped, with the aid of ready capital, to achieve telegraphic union between Europe and the United States. In the general plan as originally indicated, a line of telegraph was proposed, branching from the Siberian telegraph, at Kijachta, and passing thence through Pekin to Tien Tsin, Nankin, Shanghai, Amoy and Canton, to Hong Kong.

Passing over the history of what has been achieved within the last three years, both in America and in Russia, we find at this moment that the telegraph touches Kijachta, continuously, from Cape Clear, in Ireland—thus spanning the whole breadth of Europe, and more than half of Asia; while on the American side of the world, Cape Race has been united to the Pacific at Olympia, on Puget's sound, more than eight hundred miles north of San Francisco. Thus we have seen these two converging systems from opposite sides of the world tending towards a common centre—India and China. Russia stretches her wires towards the Pacific from the west; the United States reaches the Pacific from the east. When and where the union of these two forces shall take place must, in the nature of things, find a solution. Both systems need much encouragement, and all the aids of commerce, to make them remunerative in a commercial point of view. Telegraphic contact with China has always been one of the leading inducements in the construction of an overland telegraph from America to Europe. The commerce between China and America on one hand, and China and Europe on the other, is of gigantic proportions now. What will that commerce be when steam and telegraph have developed a tithe of its interior capabilities? England in striving to unite India by telegraph has already expended more than two million pounds, and yet the work is not fully accomplished. After India has been reached, will there not be every inducement to penetrate into China?

Under the grants and privileges of the three powers over whose territory the telegraph has to pass in order to unite Europe with the United States, a company has been formed to construct a line so as to unite the United States with the Russian Siberian telegraph, and thus Europe with America.

The actual construction of this line on the American side is now being prosecuted, and it becomes necessary to provide if possible for the construction of a line which shall unite China with the Siberian telegraph, and thus bring the commerce of China up to the Siberian line, and thus on to Europe and America as commerce may require. The construction of a telegraph from Kijachta to Pekin, and thence on through the great commercial centres of China, need not be discussed at any great length in order to prove its great importance, commercially and politically. Russia has constructed a great extent of telegraph on from the borders of Europe into the centre of northern Asia, through a country where the local business of a telegraph cannot be very lucrative. Therefore, if by any means great centres of population and commerce are brought in contact with a local non-productive line, great advantages must necessarily accrue. Thus, by the construction of a line from Kijachta on to Pekin and the commercial cities of China, a great number of despatches would come over the whole extent of the Russian lines in order to reach China, and, *vice versa*, Europe; and when the continuation of the Siberian telegraph shall have come in contact with the prolongation of the American system, the span will have become complete, and the whole telegraphic system of Russia will teem with the commerce of the whole world, and Russia will stand as the intermediary between Europe and America, uniting them with China and Japan through northern Asia. Your excellency is well informed of the wishes of our own government upon the proposition of intercontinental telegraphic communication through Russia; consequently, little need be said on that branch of the question. It is also well known to you what steps have been taken and what progress has been made in regard to the achievement of the intercontinental Russian American telegraph.

Under the privileges accorded me, a company has been formed to construct a line of telegraph from the United States on to meet the Russian Siberian telegraph. This company has provided sufficient capital with a view to construct a line through China to connect with the Siberian line at Kijachta. Negotiations have been commenced to procure the action of the Chinese government, but we do not desire to proceed in this matter without first notifying his Imperial Majesty's government of our intentions, because we desire above all to be in perfect accord with Russia in this undertaking, which is to prove mutually advantageous and beneficial. Steps have been taken, and undoubtedly our minister, the Hon. Anson Burlingame, will be instructed in due time, by our government, to forward the views of our company so as to secure concessions and aid from the Chinese government with the view of uniting Canton, *via* Pekin, with Kijachta. It would be a very great step in the right direction if the imperial government of Russia would find it advisable to notify the imperial minister at Pekin of the facts in this case, and, if agreeable and advisable, that a joint effort be made by the Russian minister and the minister of the United States before the Pekin government in view of securing such rights and privileges as would ultimately lead to the construction of this proposed telegraph. We think further delay is now dangerous, because the progress of telegraphs has satisfied most inquiring minds that it is difficult to assign to the telegraph very narrow limits. If this telegraph is not quickly pushed up from southern China, so as to unite upon the Russian line, a new direction will be given to European contact with China, and a line will be pushed across southern China to India, and thus the despatches from China will reach Europe by a route avoiding the Russian lines altogether.

This would be a great misfortune to all concerned, because the prosperity of the Russian lines will be so intimately connected with ours that both must be affected from like causes, and a failure to secure the Chinese business would be a very serious mistake on the part of all concerned.

I have the honor to be your excellency's most obedient servant,

P. McD. COLLINS.

His Excellency C. M. CLAY,
Envoy Extraordinary and Minister Plenipotentiary
of the United States at St. Petersburg, Russia.

C C C.

Mr Clay to Prince Gortchacow.

No. 60.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, December 6–18, 1864.

The undersigned has the honor to call the attention of his excellency Prince Gortchacow, vice-chancellor and minister of foreign affairs, to the extract from the London Times of December 12, 1864. It would seem so important does England deem the telegraphic communication with China, that a journal has been established called the London and China telegraph. That journal has taken advantage of an incautious statement in the St. Petersburg Journal, to say that no concession has yet been made to Mr. Collins by the Russian government, evidently with a view to encourage the friends of the English line to persevere in their China line; which if made in advance of the Russian line, into that rich and populous country, will forever, perhaps, divert the telegraphic communication with western Europe from this empire to the south of Europe, to the loss of millions of rubles to his Imperial Majesty's government, to say nothing of the political influence which England may thus gain, to react again upon the vast countries yet to be opened up in a land where, for ages, the wealth of all the world has accumulated.

The merchants of the United States, whose interests are reciprocally identified with those of Russia for all time in this joint line, are fully awake to the importance of early and efficient action in this matter, to which the American minister would most respectfully urge the immediate attention of the foreign department.

The undersigned begs leave to reassure his excellency Prince Gortchacow of his most distinguished consideration.

C. M. CLAY.

C C C.

Mr. Clay to Prince Gortchacow.

No. 61.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, December 19–31, 1864.

The undersigned has the honor to enclose to his excellency Prince Gortchacow, vice-chancellor and minister of foreign affairs, &c., copies of despatch No. 108 A, from the Washington government, and No. 99 B, to the Hon. Anson Burlingame, the American minister at Pekin.

From these his excellency will see that the State Department fully indorses his previous suggestions to the Russian government in respect to the Chinese telegraph.

The American minister reassures Prince Gortchacow of his most distinguished consideration.

C. M. CLAY.

C C C.

Mr. Clay to Prince Gortchacow.

No. 63.] LEGATION OF THE UNITED STATES OF AMERICA,
St. Petersburg, Russia, January 4–16, 1865.

The undersigned, minister plenipotentiary, &c., of the United States of America, begs leave to present to his excellency Prince Gortchacow, vice-chancellor and minister of foreign affairs to his Imperial Majesty, &c., the memorandum of the suggestions made in conversation to-day with his excellency in regard to the Russian American telegraph grant, and which his excellency Prince Gortchacow was kind enough to request the undersigned to reduce to writing for the use of the council of ministers.

This grant was made to Perry McD. Collins by the Siberian committee, and confirmed by his Imperial Majesty on the 15–27th day of May, 1863, and was made conditional upon the following stipulations: "Finally, the Russian government will not begin the construction of the intermediate line before you (Collins) will have presented an act of final formation of your company for the establishment of your projected telegraph, and likewise have proved as to the emission and sale of its shares at least one-half of the minimum cost of your projected telegraph, and the production of a plan of the direction of the line finally selected and approved by your company."

Mr. Collins has produced the proofs required by this clause; which proofs are acknowledged by the imperial telegraphic department to be ample and satisfactory. Here, it would seem to the undersigned, this whole transaction should have at once been closed by a single declaration of the imperial government that the conditions of the grant had been complied with, and by a simple reduction, on the part of the government, of the original grant to the usual legal formulas.

But Messrs. Collins & Sibley have been detained here three months, awaiting the action of the telegraphic department. In the mean time, the said department has submitted to Messrs. Collins and Sibley, the one a director, the other the president of the company, organized under the grant above named, a paper termed "Project of agreement" for the construction of telegraphic communication between Russia and America, dated December 7–19, 1864, in which twenty-six propositions have been introduced. Some of these are new. Some limit, and none of them enlarge, the franchises of the original grant. But the representatives of the company, in a liberal spirit, have acceded to all of these conditions, except the one in reference to the forfeiture of privileges, and except the propositions involved in the following clause of the aforesaid imperial grant: "For the encouragement of the company, the government will allow a deduction (rebate) of forty per centum upon the net profits of despatches transmitted along the Russian telegraph lines *solely to America and back.*" Under this clause the telegraphic department insists that the expenses of the administration of the whole telegraphic system of Russia shall be taken into account, in order to ascertain "the net profits of the despatches transmitted along the Russian telegraph lines solely to America and back." This mode of reckoning would deprive the company of any "encouragement" whatever, and is utterly subversive of the language and spirit of the original grant, upon the faithful performance of which by his Majesty's government, only, could capitalists have been induced to risk their means upon this new and hazardous project.

To avoid, then, further loss of time and useless discussion, Messrs. Collins and Sibley ask that the original clause of the imperial grant above named shall be inserted *verbatim* into the present "project of agreement" submitted by the department.

The American minister is fully persuaded that it is neither the desire of his Imperial Majesty nor his Imperial Majesty's ministers to depart from the liberal spirit which has governed them in initiating this great work, in which the United States of America and Great Britain have co-operated so cordially, and which, though world-wide in its beneficence, must yet especially redound to the interests of Russia.

H. Sibley is the president and director of almost the whole of the American telegraphic system, and his services are urgently needed elsewhere, and Perry McD. Collins is a director in the new company—has four vessels, men, and materials already on their way to the Pacific ocean to lay down the telegraphic line, and his services are all-important in the direction of the projected work.

The American minister, therefore, feels that he can with propriety urge upon his Imperial Majesty's ministers in council speedy action for the benefit of all parties concerned.

The minister of the United States avails himself of this occasion to express to his excellency Prince Gortchacow his sentiments of the highest consideration.

C. M. CLAY.

C C C.

Mr. Clay to Prince Gortchacow.

No. 64.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, March 1–13, 1865.

The undersigned, minister of the United States of America, would respectfully inform his excellency Prince Gortchacow, vice-chancellor, &c., that by the act of Congress approved July 1, 1864, based upon the Russian grant (No. 820) to P. McD. Collins, esq., & Co., to build a line of telegraph connecting Russia and the United States, and confirmed by his Imperial Majesty May 15–27, 1863, the Secretary of the Navy was required to furnish to said company a suitable vessel to aid in the construction of said line.

By reference to a telegram this day received by Hiram Sibley, esq., (a true copy of which is hereunto attached, marked B B,) his excellency will see that the Secretary of the Navy, being satisfied that said Collins & Co. have furnished the necessary evidence to the Russian government of the fulfilment on their part of the obligations imposed upon them by the said

grant of the 15–27th May, 1863, (No. 820,) has ordered a steamer in the Pacific ocean to be put at the disposition of said company, in order to carry out, on the part of the United States, the stipulations of said act of Congress.

The American plenipotentiary, therefore, begs his excellency Prince Gortchacow to give an order by telegraph to the Russian minister at Washington, or to some other suitable person, for the free and friendly admission of the said vessel, and all other ships, men, and materials used by said company for the construction of said line into Sitka and other Russian ports upon the Pacific ocean.

The American minister seizes the present occasion to renew to his excellency Prince Gortchacow assurances of his most distinguished consideration.

C. M. CLAY.

Prince Gortchacow to Mr. Clay.

[Translation.]

ST. PETERSBURG, *March* 5, 1865.

The undersigned makes it a duty to inform Mr. Clay, envoy extraordinary and minister plenipotentiary of the United States of America, that he hastened to transmit the note which he did him the honor to address to him on the 1–13th March, 1865, to the director in chief of the administration of posts and telegraphs.

The acting privy councillor, Tolstoy, has just informed him that the American undertakers of the establishment of the Russo-American telegraph have not yet signed the convention relative to that enterprise.

Therefore, the undersigned is not able to answer at this moment to the wish expressed by the minister of the United States of America, and to ask for the despatch to the Russian authorities of the orders necessary for the reception of the vessels and American materials sent to Sitka.

He seizes this occasion to renew to Mr. Clay the assurance of his very distinguished sentiments.

GORTCHACOW.

Mr. Clay to Mr. Seward.

No. 73.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, April 2, 1865.

SIR: I have the honor to acknowledge the receipt of your despatches to 132, inclusive.

The "convention" between Messrs. Sibley and Collins and the Russian government has been signed and confirmed by the Emperor, and orders given for the admission of men and material of the company into the Russian possessions; of all of which I have been officially notified. I will write you further on that subject in a few days.

I am, sir, your obedient servant,

C. M. CLAY.

HON. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Clay to Mr. Seward.

No. 74] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, April 5, 1865.

SIR: I have the honor to enclose to you (A A) the protest of Messrs. Sibley and Collins in reference to the telegraphic grant of the Russian government, together with my note (B) to Prince Gortchacow. The two papers will explain the issues made. I must say, however, that whilst I know the construction

given to the original grant of May 15, 1863, O. S., by the Russian government, will not give the company as much money as the real import of the section 17 would warrant, yet I believe the charter a good and practical one, and therefore I do not share in the despondency of H. Sibley, esq.

Believing, however, that I contend for his just rights, I shall steadily pursue all proper means to cause them to be respected.

Your obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

(A A.)

Messrs. Sibley & Collins to Prince Gortchacow.

ST. PETERSBURG, *March* 9–21, 1865.

The respectful and dutiful protest of Hiram Sibley and P. McD. Collins against the decision of the Russian government and the imperial telegraph department of Russia, in regard to the remarks added to the 17th section of conditions of agreement, signed and done in convention at St. Petersburg on the 9–21st March, A. D. 1865, between the director-in-chief of the department of imperial telegraphs, his excellency J. Tolstoy, on the part of the imperial government, and the undersigned, on the part of the Western Union Telegraph Company, of Rochester, in the State of New York, United States of America, under an act of the Siberian committee, sanctioned by his Imperial Majesty on the 15th day of May, A. D. 1863, No. 820.

This protest most respectfully and dutifully showeth, that by the original grant, No. 820, cited above, Major P. McD. Collins, a citizen of the United States of America, was authorized to form a company for the construction of a telegraph from the mouth of the Amoor river, in Asiatic Russia, to the frontiers of Russian America.

In this original grant certain inducements were held out, in order to encourage and effect the formation of a company for the construction of said telegraph, one of which was that, "for the encouragement of the undertaking of the company, the Russian government will allow a deduction of 40 per cent. upon the net profits of despatches transmitted along the Russian telegraph lines, solely to and from America." This promised aid formed the leading inducement in the formation of the company and the subscriptions to and sale of its shares. The words of the grant No. 820, as well as the true intent and meaning of the passage cited above, now section 17, incorporated in the convention signed on the 9–21st March, A. D. 1865, bound the imperial government, as the company and the undersigned believed, in good faith, that the "net profits on despatches to and from America" were to be ascertained solely in reference to American despatches passing over Russian government telegraph lines. Now, however, the imperial telegraph department has interpreted the meaning of this clause, as we consider, quite differently. The department of telegraphs contend, in order to reckon the net profits of American despatches, that the whole system of Russian telegraphs must be brought into account, and that the expenses of the whole administration of government telegraphs must be paid before the net profits on American despatches can be allowed to the company. To this mode of reckoning we cannot agree.

We contend that the cost and charges upon despatches to and from America should only be reckoned, and not the gross sum of all government telegraphs. The company was formed and the capital raised upon the original promise of the imperial government; England and the United States granted co-operative charters upon the basis of the original Russian grant, No. 820; the company purchased vessels and freighted them with materials; engineers and exploring parties were sent forward, and the government of the United States, under the act of Congress, furnished a steamer in aid of the undertaking of the company.

We came to St. Petersburg in October, A. D. 1864, and laid before the director-in-chief of ways of public communications, General Melnikoff, the proofs required in the original grant, No. 820; these proofs were acknowledged to be satisfactory by the department, and we awaited an early response.

But after several months of ineffectual entreaty and correspondence with the imperial department of telegraphs, we were compelled to assent to its views, as we believe, subversive of the original grant, No. 820, in regard to the allowance of the 40 per cent. upon American despatches.

Our ships were upon the sea, our capital invested, the enterprise happily on foot, when we found the undertaking must be abandoned, or submit to the views of the department of imperial telegraphs. Our views, and the correspondence upon this question of 40 per cent. encouragement as promised in the original grant, No. 820, are at great length before the

department, and consequently it is not deemed requisite to repeat them here. We appealed in vain against the decision of the imperial department of telegraphs as to the remarks to section 17. We were told by his excellency J. Tolstoy, director-in-chief of imperial telegraphs, that if we did not sign the conditions with the objectionable remarks added to section 17, the obligations of Russia would not guarantee to us the construction of our telegraph under the grant No. 820, and that all our rights under that grant would be forfeited, and that our capital and the money already invested must be lost, and the construction of the telegraph would be given over to another company. This we consider unjust, but, pressed by the vast interests involved, we were obliged to submit to his excellency's decision.

We had gone on in good faith, as we believed, under the original grant, No. 820. Our capital was invested, and to abandon the undertaking under the decision of the imperial department of telegraphs would be the absolute destruction of the company and loss of all the capital invested. Therefore, in order to save the company from great loss, and the abandonment of the construction of the telegraph, we were forced to sign the convention, as insisted upon by his excellency the chief of imperial telegraphs, and resort to this protest for our protection and the rights of the company under the original grant, No. 820.

Now, therefore, we, the undersigned, P. McD. Collins, the original grantee under the act No. 820, and Hiram Sibley, the president of the Western Union Telegraph Company, in our own names, and as the agents and representatives of said Western Union Telegraph Company, do hereby most respectfully, and as in duty bound, protest against the actions, doings, and decisions of the Russian government, and the imperial department of Russian telegraphs; claiming for ourselves and the company, or to whomsoever the rights and obligations of the original grant No. 820 may appertain, the full force, meaning, and intent of said original grant.

HIRAM SIBLEY.
P. McD. COLLINS.

His Excellency PRINCE GORTCHACOW,
Vice-Chancellor and Minister of Foreign Affairs, &c., &c., &c.

B.

Mr. Clay to Prince Gortchacow.

LEGATION OF THE UNITED STATES OF AMERICA,
St. Petersburg, Russia, March 27–April 8, 1865.

The undersigned has the honor to transmit to his excellency Prince Gortchacow, vice-chancellor and minister of foreign affairs to his Imperial Majesty, &c., the protest of Hiram Sibley and Perry McD. Collins, esqs., American citizens, against the construction of the grant of his Imperial Majesty, of the 15th day of May, 1863, now put upon it by the Russian authorities.

The American minister has the honor to renew to his excellency Prince Gortchacow assurances of his most distinguished consideration.

C. M. CLAY.

Mr. Hunter to Mr. Clay.

No. 143.] DEPARTMENT OF STATE,
Washington, April 20, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 22d of March, No. 72, which is accompanied by a copy of the correspondence between your legation and the Russian government concerning the intercontinental telegraph.

You also inform this department that the charter to P. McD. Collins and company has been substantially agreed to by the representatives of the company and by the government of Russia, as originally approved by the Emperor Alexander in 1863. Your proceedings in relation thereto are fully approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

CASSIUS M. CLAY, Esq., *&c., &c., &c., Russia.*

Mr. Clay to Mr. Seward.

[Extract.]

No. 78.] LEGATION OF THE UNITED STATES,
St. Petersburg, April 24, 1865.

SIR: It becomes my painful duty to inform you that this morning at half-past twelve o'clock his Imperial Highness the Grand Duke Héritier died at Nice, of a diseased spine, under which he had been gradually sinking. His Majesty the Emperor of Russia and her Royal Highness the Princess Dagmar, of Denmark, his affianced bride, got to Nice in time to witness the last hours of this amiable but ill-fated youth. All Russia, the diplomatic corps, and every one who knew this interesting young man, lament most sincerely his untimely end. For myself I had added to the respect which I owed him as the heir of a great throne and the son of a noble father, the friendship which his amiability and many virtues inspired. * * * * *

I have the honor to be your obedient servant,

C. M. CLAY.

Hon. W. H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Hunter to Mr. Clay.

No. 147.] DEPARTMENT OF STATE,
Washington, May 2, 1865.

SIR: Your despatch of the 2d ultimo, No. 73, informing this department of the confirmation, by the Emperor, of the convention between Messrs. Sibley and Collins and the Russian government, and of the orders subsequently given for the admission of the men and material of the company into the Russian possessions, has been received.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Clay to Mr. Seward.

No. 79.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, May 4, 1865.

SIR: I know not how to express my grief for the loss of our great and good President Lincoln, and my indignation at the crime of which he is a victim.

I thank God that you are spared to us, and I trust that our country and the nations will still continue to reap the fruit of your patriotic labors and pacific sentiments. I enclose you copies of the correspondence between Prince Gortchacow and myself, and also of the letters of condolence from the diplomatic corps. The ambassadors of France and England called in person, and those who did not do so wrote letters full of admiration for the virtues of the late President, and horror at the crime of his assassination. His Imperial Highness the Grand Duke Constantine sent his aide-de-camp, General Greigg; her Imperial Highness the Grand Duchess Helen sent Baron Rosen, and his Imperial Highness the Prince d'Oldenburgh called in person, all to utter sentiments of sorrow and sympathy with the American government and people. A great many distinguished Russians also expressed their grief at our loss in words and

through the press. Her Imperial Highness the Grand Duchess Helen, who is well versed in the politics and history of our country, has invited me to call upon her informally on Saturday, with a view of giving us further evidence of her kind feelings for our nation and its progressive cause, of which she is an admirer.

These sentiments of esteem and sadness are gratifying to me, and such as lead me to the hope that the martyrdom of our noble friend will at home and abroad consecrate in the hearts of all men the principles of liberty and self-government for which Lincoln lived and died.

President Johnson enters upon the duties of his office under great difficulties. I like the words of humility and calm devotion which characterize the partial revelation of his views at his accession to office.

That which won for Mr. Lincoln most admiration in Europe was his moderation in expression and firmness in action.

The new President, we are told, proposes to retain the old cabinet, and we trust the old policy of peace with foreign nations, and magnanimity in all things at home, consistent with the *destruction of slavery* and the *restoration of the Union.*

The prayers of the good of all the world follow him in his responsible task.

I beg you will lay this paper before the President.

Hoping to hear of your and your son Frederick Seward's speedy recovery, I remain your most obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Prince Gortchacow to Mr. Clay.

[Translation.]

ST. PETERSBURG, *April* 16, 1865.

Although the absence of his Majesty the Emperor makes it impossible for me to obtain and communicate to you the expression of the sentiments which my august master would have felt at the news of the foul crime to which the President of the United States has just fallen a victim, and which Mr. Seward has barely escaped, I did not wish to delay in testifying the lively and profound sympathy of the imperial cabinet for the federal government in this new trial which Providence had reserved for it. I have asked our minister at Washington to communicate it to the Vice-President, Mr. Johnson. Will your excellency transmit it to him, together with our sincere wishes that this abominable crime will not hinder the progress of the American nation toward the establishment of the Union and of peace, which are the pledges of its power and its prosperity.

Will your excellency be pleased to accept the assurances of my most distinguished consideration.

GORTCHACOW.

C. M. CLAY, Esq., *&c., &c., &c.*

Mr. Clay to Prince Gortchacow.

No. 68.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, April 15–27, 1865.

The American minister has the melancholy duty to inform Prince Gortchacow, vice-chancellor and minister of foreign affairs to his Imperial Majesty, &c., &c. (by telegram from C. F. Adams, esq., American minister at London, received last night,) that Abraham Lincoln, President of the United States of America, died on the 3–15th, day of April, instant, from a wound received from the hand of an assassin, whilst in his "loge" at the theatre. Secretary Wm. H. Seward was thought to have been mortally wounded, in his own house, the same night. By the Constitution of the United States the Vice-President, by the death of the President, becomes at once his successor. Vice-President Andrew Johnson, of Tennessee, being in Washington, immediately entered upon the duties of his responsible trust. The undersigned will inform the Russian foreign department, at the earliest day, more authoritatively of Mr. A. Johnson's succession to the presidency.

The American minister will be pardoned for expressing his deep abhorrence of assassination, which, with rightly thinking men, no political or personal motive can ever justify, and his firm conviction that such an ill-timed blow never struck down a better patriot or a more noble, generous, and humane man than Abraham Lincoln.

The American minister avails himself of this note to say how deeply he sympathizes with their Imperial Majesties and the Russian people in the afflicting and irreparable loss of their late amiable and accomplished Prince, the Grand Duke Heretier; whilst he trusts he will be allowed to mingle his personal condolence with a nation's grief for one whom he was proud to have known, to have respected for his high position, and yet more to have loved for his many virtues.

The minister of the United States has the honor to renew to Prince Gortchacow assurances of his most distinguished consideration.

C. M. CLAY.

B.

The Minister of Sweden and Norway to Mr. Clay.

[Translation.]

ST. PETERSBURG, *April* 16–28, 1865.

YOUR EXCELLENCY: In hastening to acknowledge the sad communication by which your excellency has just informed me of the assassination of Mr. Lincoln, President of the United States of America, I beg you to accept my most profound expressions of sympathy, and also of horror for the foul deed which has deprived your country and your government of their worthy and illustrious chief.

I seize the present occasion to offer to your excellency repeated assurances of my high consideration.

WEDEL YARLSBERG,
Minister of Sweden and Norway.

Mr. C. M. CLAY,
Minister of the United States of America.

C.

Sir Andrew Buchanan to Mr. Clay.

HER BRITANNIC MAJESTY'S EMBASSY,
St. Petersburg, April 28, 1865.

Sir Andrew Buchanan, her Britannic Majesty's ambassador, has had the honor to receive the note by which his excellency General C. M. Clay, the minister of the United States, has acquainted him with the assassination of Mr. Lincoln, the President of the United States, and with the attempt which was made at the same time to murder Mr. William H. Seward, the Secretary of State; and further informing him that, in consequence of the former of these distressing events, Mr. A. Johnson has succeeded to the presidency of the Union.

In thanking General Clay for this communication, Sir Andrew Buchanan begs leave to express his sympathy with his excellency and the people of the United States on the great national calamity which they have sustained, while he participates in the abhorrence of its authors, which their atrocious crime must excite throughout America and the civilized world.

Sir Andrew Buchanan avails himself of this opportunity to offer to General Clay the assurance of his high consideration.

E.

The Minister of Italy to Mr. Clay.

[Translation.]

ST. PETERSBURG, *April* 29, 1865.

MY DEAR COLLEAGUE: I had desired to offer you, in person, my heartfelt sympathy, but on account of indisposition I am obliged to defer my visit.

In the meanwhile I know not how I can better interpret the sentiments of my government than in joining in the sorrow with which your country has been so cruelly stricken by the loss of her greatest citizen and most eminent statesman.

The blood of a martyr in so noble a cause will strengthen the American Union, whose power and prosperity have every good wish of Italy. In renewing to you, my colleague, my expressions of sorrowful sympathy, and in thanking you for your communication, I have the honor to tender you the assurance of my high consideration.

LAUNAY.

F.

The Minister of Belgium to Mr. Clay.

[Translation.]

ST. PETERSBURG, *April* 16–28, 1865.

The minister of Belgium has had the honor of receiving the note which his excellency the minister of the United States has had the kindness to address him, in order to inform him of the death of the President of the United States, A. Lincoln, who was assassinated in his box at the theatre, in Washington, on 3–15th instant, as well as of the dangerous wound which menaces the life of the Secretary of State, Mr. William H. Seward.

It is with an unmingled feeling of horror that the undersigned has heard of these cowardly and foul attacks, which will cause an outburst of sorrow, not only in America, but in Europe and the whole world, and he joins in the grief which cannot fail to be caused by the loss of an eminent statesman called by his fellow-citizens to direct the destinies of his country.

LORYHE D'ARDOYE.

Mr. Hunter to Mr. Clay.

No. 149.] DEPARTMENT OF STATE,
Washington, May 5, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 8th ultimo, relative to the desire on the part of Prince Gortchacow to exclude from diplomatic correspondence the subject of the intercontinental telegraph. Your proceedings in connexion with this matter are approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Clay.

No. 156.] DEPARTMENT OF STATE,
Washington, May 22, 1865.

SIR: On the 17th instant Mr. de Stoeckl read to the President a despatch (a copy of which he left with him) of the 19th ultimo, from Prince Gortchacow, expressing the sentiments of the Russian government upon the assassination of President Lincoln, and its cordial wishes that this great trial may not impede the onward march of the American people towards the re-establishment of the Union.

I am charged by the President to request you to convey to his highness, on behalf of the government and people of the United States, the most profound acknowledgments for the manifestations of sensibility to the great national calamity which find place in that despatch, and for the friendly wishes which he has been pleased to express.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Clay to Mr. Hunter.

No. 81.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, May 16–28, 1865.

SIR: I have the honor to transmit to you a copy (marked A) of a letter from Prince Gortchacow of this date, expressing the sentiments of his Imperial Majesty in regard to the death of our late President Lincoln, and his thanks for the courtesy of our naval authorities and other American citizens towards the remains of the late Grand Duke Héritier.

His Imperial Majesty also offers his condolence to the family of Mrs. A. Lincoln, and I beg you will transmit to her a copy of the letter.

There is but one sentiment of indignation and grief at the death of our loved President throughout all Russia, shared alike by the prince and the peasant.

I am in receipt of your despatches to 150 inclusive.

Very truly, your obedient servant,

C. M. CLAY.

Hon. W. HUNTER,
Acting Secretary of State, Washington, D. C.

Prince Gortchacow to Mr. Clay.

[Translation.]

ST. PETERSBURG, *May* 16, 1865.

Mr. MINISTER: In informing you, in the name of the imperial cabinet, of the profound indignation excited by the assassination of the President of the United States, and the heartfelt sympathy which the American government and people have met with among us, in this their national grief, I was certain of having expressed the sentiments of his Majesty the Emperor.

Scarcely has my august master returned to his dominions, when he orders me to testify to you his grief at this painful event. Tried himself by a woful loss, which is also a cause of national mourning for Russia, the Emperor joins in the unanimous regrets which encircle the memory of the eminent statesman, snatched away so suddenly and in so terrible a manner from his noble career.

His Imperial Majesty requests us, your excellency, to transmit to you, in his name, the assurance of his living and deep sympathy with the family of the late Mr. Lincoln, and with his excellency President Johnson.

I also fulfil the orders of my august master by informing you how much his Imperial Majesty has been touched by the spontaneous testimonials of respect which the federal officers have shown to the memory of his dearly beloved son, during the passage of the squadron bearing to Russia his mortal remains.

I have already communicated to the federal government the thanks of his Imperial Majesty, through his representative at Washington. He asks of you the favor to reiterate them.

Be assured, your excellency, of my very distinguished consideration.

GORTCHACOW.

General CLAY, *&c., &c., &c.*

Mr. Hunter to Mr. Clay.

No. 157.] DEPARTMENT OF STATE,
Washington, May 29, 1865.

SIR: Your despatch of the 4th instant, No. 79, has been received.

The sad events which have called it forth have inspired, universally, sentiments identical with those which you have communicated, and they have been expressed by the great powers in terms which do justice to the spirit of the age in which we live.

As you were informed in instruction No. 156, Mr. de Stoeckl had already, under the direction of Prince Gortchacow, on behalf of the Emperor, in his Majesty's absence, imparted to the President his own sentiments, and his prevision of the impression which the tragical occurrences would make upon his Imperial Majesty, and had communicated at the same time the friendly wishes of the Russian government towards President Johnson and the American Union. The manifestations to which your despatch refers, and the notes which accompany it, are highly gratifying, and I must rely upon you to convey, on behalf of the government and people of the United States, in fitting terms, to the distinguished functionaries from whom they have emanated, expressions of the grateful estimation in which they are held.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Clay.

DEPARTMENT OF STATE,
Washington, June 3, 1865.

MY DEAR SIR: I have received your kind letter of the 25th April last, in which you speak of the future of our country, and I have to thank you for your suggestions concerning the principles with which we should be controlled. While seriously affected by what you communicate, and while cordially agreeing with you, I am yet in too feeble a state of health to answer you otherwise than through an amanuensis.

I am, my dear sir, very faithfully yours,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., *&c.*, *&c.*, *&c.*

Mr. Hunter to Mr. Clay.

No. 159.] DEPARTMENT OF STATE,
Washington, June 5, 1865.

SIR: I have received your despatch of the 12th ultimo, No. 80, relative to the death of Abraham Lincoln, and the circumstances under which President Johnson occupies the presidential chair.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

CASSIUS M. CLAY, Esq., *&c.*, *&c.*, *&c.*

Mr. Hunter to Mr. Clay.

No. 163.] DEPARTMENT OF STATE,
Washington, June 26, 1865.

SIR: Your despatch of the 16–28th ultimo, No. 81, enclosing a translation of a note of the 16th ultimo from Prince Gortchacow, expressing the sentiments of the Emperor in regard to the death of President Lincoln, and his Majesty's thanks for the courtesy of our naval authorities, and other American citizens, to the remains of the late Grand Duke Héritier, has been received. In reply, I have to request you to assure his Highness Prince Gortchacow that the generous and friendly sympathies which his Majesty the Emperor is pleased to express, through the note adverted to, are in happy harmony with the cordial relations which have heretofore existed between the two nations, and which have been only strengthened by the events of the civil commotions which have just now subsided in this country.

I must also request you to assure Prince Gortchacow that the bereavement which his Majesty and the empire of Russia have sustained in the death of the Grand Duke Héritier has excited the most profound sympathy on the part of the government and people of the United States, and that the honors paid by our naval authorities and citizens abroad to the remains of the illustrious deceased will meet with universal approbation.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

CASSIUS M. CLAY, Esq., *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Clay.

No. 164.] DEPARTMENT OF STATE,
Washington, July 14, 1865.

SIR: I transmit to you a letter of condolence from the President of the United States to the Emperor of Russia, in answer to one just received from his Majesty, announcing to the President the melancholy intelligence of the death of his Majesty's son—his Imperial Highness the Cesarowitch—at Nice. An office copy of the President's letter is also enclosed. You will communicate these to the minister for foreign affairs, requesting him to place the original in the hands of the Emperor.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., *&c., &c., &c., Russia.*

Andrew Johnson, President of the United States of America, to his Majesty Alexander II, Emperor and Autocrat of all the Russias.

GREAT AND GOOD FRIEND: I have received the letter which your Majesty addressed to me on the 28th of April last, announcing the melancholy intelligence of the decease, after painful suffering, on the 12th of that month, at Nice, of your Majesty's much-loved son, his Imperial Highness the Cesarowitch and Hereditary Grand Duke Nicholas Alexandrowitch.

Deeply sympathizing in the grief into which this afflicting event has plunged your Majesty and your Majesty's Imperial house, I offer to your Majesty my sincere condolence on the occasion, and pray God to have your Majesty, and your Majesty's Imperial family, always in His safe and holy keeping.

Written at Washington, this fourteenth day of July, in the year of our Lord one thousand eight hundred and sixty-five.

Your good friend,

ANDREW JOHNSON.

By the President:
WILLIAM H. SEWARD,
Secretary of State.

Mr. Clay to Mr. Seward.

[Extract.]

No. 86.] LEGATION OF THE UNITED STATES,
St. Petersburg, Russia, September 5, 1865.

SIR: I have received your despatches to No. 166 inclusive, together with a copy of the letters of the Union Telegraph Company to yourself and to M. Tolstoy, the chief of the Russian telegraph department.

* * * * * *

I am, truly, your most obedient servant,

C. M. CLAY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Mr. Seward to Mr. Clay.

No. 170.] DEPARTMENT OF STATE,
Washington, September 23, 1865.

SIR: Your despatch of the 18th of last month, No. 84, giving your views upon the requirements of our present phase in the reorganization of domestic affairs, has just reached me, and I shall not fail to submit it to the President.

I am, sir, your obedient servant,

WILLIAM H. SEWARD

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Clay.

No. 171.] DEPARTMENT OF STATE,
Washington, October 2, 1865.

SIR: I have to acknowledge the receipt of your letter of the 24th of August, transmitting a copy, in Russian and English, of the convention of the 9–21st of March, agreed upon by the Russian telegraph department and Messrs. Sibley and Collins, acting on behalf of the American Western Union Telegraph Company. I shall cause the English text to be published without delay.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Clay.

[Extracts.]

No. 172. DEPARTMENT OF STATE,
Washington, October 2, 1865.

SIR: I have received your despatch of the 5th ultimo, No. 86, relative to the misunderstanding existing between the Russian government and the agent of the American Union Telegraph Company, in regard to the construction to be placed upon the charter obtained from the Russian authorities. * * * * The details of the matter are left to your discretion, but it is expected that you will give it your careful attention.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

CASSIUS M. CLAY, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Clay.

No. 179.] DEPARTMENT OF STATE,
Washington, November 25, 1865.

SIR: Your despatch of the 29th of October, No. 91, has been received. It presents certain views concerning proposed amendments to the Constitution of the United States, which you deem necessary to be effected preliminary to an admission of representatives of the insurgent States into Congress.

The despatch closes with an earnest request that it may be laid before the President. I have complied with this request. I avail myself of the occasion to say a word upon requests of that kind which are found in your despatch, as well as in those of others of our representatives abroad.

The practice of this department is to submit to the President of the United States, for his perusal, all despatches which emanate from it to foreign countries, and which treat of any matter of a political nature, domestic or foreign, whether they relate to personal interests of the representative or otherwise. The practice in regard to despatches received from our representatives in foreign countries is to submit all that relates to questions of the character I have named to the President for his consideration. It is the practice of the President to determine for himself which of the multitude of such despatches he can personally examine compatibly with the multiplicity and variety of his official engagements.

A request by a minister that a particular despatch shall be laid before the President seems to imply that, without such a request being made, important interests or measures might be withheld from his knowledge.

The President will be pleased if our ministers abroad will leave to him entire freedom on this subject.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

Cassius M. Clay, Esq., *&c.*, *&c.*, *&c.*

RUSSIAN LEGATION.

Mr. Stoeckl to Mr. Seward.

[Translation.]

Imperial Legation of Russia to the United States,
Washington, November 25—*December* 7, 1864.

Mr. Secretary of State: At the interview which I had yesterday the honor to have with you, you had the kindness to authorize me to ask some explanations on the subject of the export of cotton from the insurgent States. In the regulation on this subject it is said that the federal government will grant permits to persons who wish to buy cotton to pass the lines, either to enter the insurgent States or to leave them. Will the same facility be accorded to agents of Russian manufacturers?

In the same regulation it is stipulated that the cotton purchased at the south, and carried into territory occupied by federal troops, can only be sold to agents of the government of the United States, who will have the privilege of reselling to individuals. If, under these conditions, a Russian subject buys cotton, can he claim, of right, that this cotton shall be resold to him after having paid the twenty-five per cent. profit to the federal government?

I should be greatly obliged to the Secretary of State if he will give me explanations on these two points, so that I may transmit them to my government in communicating to it the measures which have been adopted by the federal government upon the export of cotton.

Please to accept, Mr. Secretary of State, the renewed assurances of my very high consideration.

STOECKL.

Hon. William H. Seward, *&c.*, *&c.*, *&c.*

Mr. Seward to Mr. Stoeckl.

Department of State,
Washington, December 10, 1864.

Sir: I have the honor to acknowledge the receipt of your note of the 25th of November, (7th of December,) making inquiry concerning privileges granted under treasury regulations in regard to the purchase and sale of cotton; and, in reply, to inform you that it is understood that those regulations are not intended to make discriminations between loyal citizens of the United States and aliens domiciled therein, who have not violated their obligations as neutrals in the existing civil commotions in this country.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. Edward de Stoeckl, *&c.*, *&c.*, *&c.*

[Communicated by the Russian legation May 17, 1865.]

Prince Gortchacow to M. de Stoeckl.

[Translation.]

ST. PETERSBURG, *April* 16, 1865.

SIR: The telegraph has brought us the news of the double crime of which the President of the United States has fallen a victim and Mr. Seward barely escaped.

The blow which has struck Mr. Lincoln, at the very moment when he seemed about to harvest the fruits of his energy and perseverance, has been deeply felt in Russia.

Because of the absence of the Emperor, I am not in a position to receive and to transmit to you the expression of the sentiments of his Imperial Majesty. Being acquainted, nevertheless, with those which our august master entertains towards the United States of America, it is easy for me to realize in advance the impression which the news of this odious crime will cause his Imperial Majesty to experience.

I have hastened to testify to General Clay the earnest and cordial sympathy of the imperial cabinet with the federal government.

Please to express this in the warmest terms to President Johnson, adding thereto our most sincere wishes that this new and grievous trial may not impede the onward march of the American people towards the re-establishment of the Union, and of that concord which are the sources of its power and of its prosperity.

Receive, sir, the assurance of my very distinguished consideration.

GORTCHACOW.

His Excellency Mr. STOECKL.

[For reply to the above communication see despatch of May 22 to Mr. Clay, No. 156.]

NETHERLANDS.

Mr. Pike to Mr. Seward.

[Extract.]

No. 155.] UNITED STATES LEGATION,
The Hague, December 5, 1864.

SIR: * * * * * * *

Nothing could do more to silence cavillers on this side than the re-election of the President.

The moral impression produced by the spectacle of an orderly and free election in the heat of a great war does more for us than any triumphs in the field. The value to us of the political lesson it teaches to those in Europe who have seen in the apparently confused and conflicting warfare of opinion among the press and public men of the loyal States only the discord of a Babel is not to be overestimated.

The civil and military prestige of the nation is to-day at a greater height than it ever was. * * * * * *

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

No. 157.] UNITED STATES LEGATION,
The Hague, March 15, 1865.

SIR: I have the honor to acknowledge the receipt of your several despatches, Nos. 196 to 212, inclusive.

The rapid march of military events since the fall of Atlanta, culminating in the reduction of South Carolina, has quite disabled hostile criticism on this side, and destroyed the hopes of our transatlantic enemies. It has at last come to be believed, so far as I can see, universally, that the utter destruction of the rebellion is secured, and that the government of the United States is to rise from the contest more powerful than ever. This belief is, to a considerable extent, accompanied by a serious apprehension that we only wait the final close of the war at home to turn our victorious arms upon Europe. It is singular to see to what extent this view has taken possession of the conservative mind of Europe. "The wicked flee when no man pursueth."

The Queen mother, sister of the late Emperor Nicholas of Russia, died on the 1st of March. Her funeral will be celebrated here with great pomp on the 17th instant.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

No. 159.] UNITED STATES LEGATION,
The Hague, March 22, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 27th of February, No. 213.

The fleet of Admiral Goldsborough, to which you refer, will not find much to do in European waters except to show itself, and I hardly know at what point the show will be welcomed or useful.

From all accounts, it would appear that Arman's iron-clads are afflicted with the weakness which besets that class of vessels, and incur great danger of going to the bottom whenever they put to sea. As blockade-breakers their occupation is gone; and for general piratical service, like that performed by the Alabama, they are not adapted.

Affairs are very quiet in Europe, with the exception of the unusual agitation of questions relating to the Catholic church, especially in regard to the present transition state of the temporal power. But there is no fear of disturbing political results, since that body is the great police agent of Europe, and is held in high estimation in its exercise of this function.

The Roman church will not fail to get a temporal protection, notwithstanding its irascible attitude, in compensation for the support it yields to dynastic rule. It is a very troublesome friend, but a still more troublesome enemy, as France especially finds.

The wonderful anomaly of an Italian priest pretending to temporal sway at home and spiritual sway all over the world is naturally productive of agitations at all times, and, it is reasonable to suppose, will continue to be so till great moral or political changes shall put an end to the absurdity. Just now it so happens that the slight danger of such a change, in the absence of more potential influences, colors European politics in a very perceptible degree.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 219.] DEPARTMENT OF STATE,
Washington, April 4, 1865.

SIR: Your despatch of the 15th of March, No. 157, has been received.

The reaction of European opinion in regard to the United States, which you have announced as having begun with the success of Major General Sherman's campaign, will doubtlessly be accelerated by the intelligence which I have now the pleasure to communicate, that Petersburg and Richmond this morning yielded before the advance of Lieutenant General Grant.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

[Extract.]

No. 161.] UNITED STATES LEGATION,
The Hague, April 5, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of the 13th of March, No. 215, together with the accompanying highly curious and in-

teresting exposition of the failing condition of the slaveholders' rebellion; also your despatch of the 21st of March, No. 216.

The current of opinion in Europe changed decisively in regard to the probable results of our conflict when General Sherman took Atlanta, as I then had the honor to report. From that time until now, the hopes of our enemies here have been growing feebler and feebler, until we no longer hear any expression of them. If this exposition be anything near the truth, the reason for this silence is manifest. The emissaries of the rebellion in Europe should know the substantial truth in regard to its condition, and it would seem that nothing but a profound conviction that it was near its end can account for their failure even to boast—a faculty which with them must be the last to die, for its vigor has been trained by a practice such as the world has seldom witnessed.

* * * * * * *

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Hunter to Mr. Pike.

DEPARTMENT OF STATE,
Washington, April 21, 1865.

SIR: Your despatch of the 5th instant, No. 161, concerning public opinion in Europe as to the result of our civil war, and enclosing an interesting item from Galignani relative to the rebel ram Stonewall, has been received.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 163.] UNITED STATES LEGATION,
The Hague, April 27, 1865.

SIR: The horrible news of to-day by telegraph, after two weeks of rejoicing, overwhelms me so completely that I find myself wholly unable to do more than to acknowledge the receipt of your despatches Nos. 217 to 224, inclusive.

With the profoundest emotions of sympathy, and the most agonizing apprehensions for your own condition, I remain, with great respect your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pike to Mr. Hunter.

No. 164.] UNITED STATES LEGATION,
The Hague, May 3, 1865.

SIR: I have the honor to acknowledge the receipt of the despatch of F. W. Seward, Acting Secretary, No. 225; of your despatches of April 17 and 18, Nos. 226 and 227, and of your letter of April 17.

The announcement of the assassination of the President, the news of which reached here last week, fills me with profound emotion. The dreadful suspense we were in, for many days, in regard to the Secretary of State and the Assistant Secretary, is happily removed by this mail. The tenor of our first advices was such that we had not dared to hope for the recovery of Mr. Seward, while we had taken for granted that the Assistant Secretary was no longer among the living. It is an inexpressible relief to receive the assurance that the lives of both are saved.

I have forwarded to the department a copy of Galignani's Messenger, containing one day's summary of the public commentary upon the hideous crimes committed by the assassins, which is but one of a series of the same character. By this record you may, in some measure, judge of the violent shock these monstrous assassinations have given to the European public. It would be difficult for me to exaggerate it by any description I could give.

I have been called upon by numerous gentlemen of high political distinction, among them the ministers of foreign affairs, who have desired to manifest their sympathy with the government in its distress; to bear their testimony to the pure and lofty character of the deceased President, and to express the universal horror and indignation at the foul deeds which have at once robbed the nation of its head and daringly put in imminent peril the life of his first cabinet officer.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. W. HUNTER,
Acting Secretary of State, Washington.

Mr. Pike to Mr. Hunter.

No. 165.] UNITED STATES LEGATION,
The Hague, May 4, 1865.

SIR: Yesterday the second chamber of the national legislature, the only branch now in session, passed resolutions instructing the ministers of foreign affairs to communicate to the cabinet at Washington their sense of the great loss sustained by the United States in the death of the President, to tender them the sympathy of the chamber, and to express their horror and detestation of the foul crimes by which the President's life has been terminated and that of the Secretary of State endangered.

These resolutions were supported in debate by the minister of foreign affairs on the part of the government, and by M. Van Zuylen on the part of the opposition, and were unanimously carried.

To-day the minister of foreign affairs has called and communicated to me this action on the part of the second chamber, and requested me to transmit it to the government at Washington; and to add that nowhere in Europe has there been a profounder emotion felt than in Holland over the awful tragedy enacted in the United States, and nowhere can its condemnation be more heartfelt and unanimous.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. W. HUNTER,
Acting Secretary of State, Washington.

Mr. Hunter to Mr. Pike.

No. 236.] DEPARTMENT OF STATE,
Washington, May 16, 1865.

SIR: I have received your despatch of the 27th ultimo, No. 163, and felicitate myself upon being able to inform you of the improved health of both the Secretary of State and his son, the Assistant Secretary.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Hunter.

No. 166.] UNITED STATES LEGATION,
The Hague, May 17, 1865.

SIR: I have the honor to acknowledge the receipt of your despatches of the 21st, 22d, 24th, and 28th of April, Nos. 228, 229, 230, and one not numbered; also your two despatches of May 2, Nos. 230 and 231, (also No. 232,) the latter containing the gratifying intelligence of the continued improvement in the condition of the Secretary of State and the Assistant Secretary.

The rapid progress of military events during the month of April has taken everybody by surprise for their remarkable completeness. Europe views our final triumphant successes with the liveliest interest. They have alike disappointed the hopes and falsified the confident predictions of the ruling classes here, with few exceptions. The question now uppermost with all is, "What will become of the intrusive emperor of Mexico?"

On the reception of the news of the surrender of Johnston with the remaining forces of the rebellion I addressed a note to the minister of foreign affairs, of which I enclose a copy.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM HUNTER,
Acting Secretary of State, Washington.

Mr. Pike to Mr. Cremers.

UNITED STATES LEGATION,
The Hague, May 15, 1865.

SIR: I beg to call your attention to the fact that the insurrection which has for some time past existed in the southern States of the Union has been finally quelled, and that the so-called confederate government has ceased to exercise or possess any controlling authority in any part of the United States. Its seat of government has been seized, its armies have been destroyed or captured, its military and civil officers are prisoners or fugitives.

It is under these circumstances that I beg to suggest to your excellency the revocation of the orders heretofore given to the Netherland colonial authorities to grant certain privileges to vessels sailing under the so-called confederate flag, and the usefulness of instructing those authorities to regard all vessels making use of this flag in future as pirates.

You will allow me to observe that this suggestion has a direct practical bearing upon the interests of the United States at this moment, inasmuch as an iron-clad steamer called the Stonewall lately left Europe on a tour of depredation upon American commerce, and is supposed to be now in the West India seas, under the confederate flag.

I beg, at the same time, to call your excellency's attention to the proclamation of the late President Lincoln, issued on the 11th of April last, in which he gave notice that the United States considered the time had arrived when they were entitled to claim the same friendly rights and hospitalities for their naval vessels in foreign ports which they themselves are willing to concede to those of all maritime nations, but which have been refused in many cases during the progress of the slaveholders' rebellion.

I avail myself of the occasion to renew to your excellency the assurances of my high consideration.

J. S. PIKE.

His Excellency E. CREMERS,
Minister of Foreign Affairs.

Mr. Hunter to Mr. Pike.

No. 237.] DEPARTMENT OF STATE,
Washington, May 19, 1865.

Your despatch of the 4th instant, No. 165, was received yesterday. Almost simultaneously came a note from Mr. Van Limburg, in which, pursuant to instructions from the King, he informed me of the action and sentiments of his government in regard to the assassination of the President and the attempt upon Mr. Seward's life; and I have, in reply, requested him to make known to his Majesty and the government of the Netherlands the grateful sense entertained here of the significant manifestations of sympathy and friendship to which your despatch relates.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Hunter.

No. 167.] UNITED STATES LEGATION,
The Hague, May 25, 1865.

SIR: I have the honor to lay before you the reply of this government to the request made by me on the 15th instant, of which I have already in my last furnished you a copy, by which you will perceive that this government, if one of the first to grant hospitality to the cruisers of the insurgent States, is now prompt to withdraw the belligerent rights accorded by it to the rebels in 1861.

I beg to acknowledge the receipt of your two despatches of May 8, Nos. 233 and 234, with the enclosures, which will receive the proper attention.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. W. HUNTER,
Acting Secretary of State, Washington.

Mr. Cremers to Mr. Pike.

[Translation.]

THE HAGUE, *May* 24, 1865.

SIR: By your official note of the 15th of this month you have requested in the name of your government, that that of the Netherlands would withdraw from vessels bearing the flag of the self-styled Confederate States certain privileges which had previously been accorded to them; and, in the second place, you call my attention to the proclamation of the President of the United States, dated the 11th April last, claiming, in favor of vessels of the republic, the same friendly treatment, and the same rights in foreign ports, that your government is ready to accord to vessels of all maritime nations.

In answer, I have the honor to bring to your knowledge that the government of the Netherlands, which has always followed with the greatest interest the events which have occurred in America during late years, felicitates itself on perceiving the approach of the end of the terrible strife which has so long desolated the United States, and on witnessing the arms of the federal government crowned with success.

The motives which guided the cabinet of The Hague in recognizing, in 1861, in the secessionists the rights of belligerents, and which have been developed in the communications from the department for foreign affairs of the 17th September and 14th December, 1861, and 14th April, 1862, existing no longer now, I hasten to inform you, sir, that the King's government believes it can now withdraw the aforesaid rights from said States, and that their armed vessels shall cease from this time, by a consequence flowing out of this fact, to be admitted into the ports of the Netherlands as soon as the necessary instructions for this purpose can be transmitted to the proper authorities by my colleague for the colonies.

At the same time the government of the Netherlands, in acceding so promptly to the desire manifested by that of the United States, cherishes the hope that the cabinet at Washington will readily, so far as relates to Netherlands merchant vessels, no longer exercise the rights of war, such as those of search and of blockade.

In what relates to the second point mentioned in your official note, I take the liberty, sir, to remind you that already, under date of 30th December, 1861, you were informed by the department for foreign affairs that the anterior instructions relative to the admission of the ships-of-war of the northern and the southern States into the ports of the Netherlands had been modified in the sense, that thenceforward those vessels might sojourn therein without limitation of time and might load coal without limitation of quantity.

The restrictions elsewhere applied to the admission and sojourn of American vessels-of-war in foreign ports, therefore, do not exist in those of the Netherlands, and the views of the President in this relation are accomplished.

Please accept, sir, the fresh assurances of my high consideration.

E. CREMERS.

Mr. PIKE, *Minister Resident, &c., &c., &c.*

Mr. Pike to Mr. Hunter.

No. 168.] UNITED STATES LEGATION,
The Hague, May 31, 1865.

SIR: I had an audience of the King on Saturday last, the 27th instant, and delivered to him the letter of condolence of the President. He expressed himself gratified with this mark of sympathy.

I have to acknowledge the receipt of your despatches of the 16th of May, Nos. 234 and 235, the latter covering copies of the President's proclamation in regard to insurgent cruisers. One of these copies I have communicated to the minister of foreign affairs.

So far as I can judge by indications within the circle of my personal experience, the sympathy of the ruling classes in Europe remains with the defeated rebels, and our successes are regarded with impatience and irritation. The personal fate of the leaders of the rebellion seems to interest them deeply.

The triumph of our political system in this contest is felt to be a grievous blow to legitimacy. It has felt great confidence during the last four years that the attempt at an organized democracy in America was a failure, and that it had before it the prospect of a protracted cycle of political quiet. The concluding events of the war have changed all this, and the disappointment thereby occasioned is but ill-concealed by its representatives.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. W. HUNTER,
Acting Secretary of State, Washington.

Mr. Hunter to Mr. Pike.

No. 240.] DEPARTMENT OF STATE,
Washington, June 3, 1865.

SIR: I have received your despatch of the 3d ultimo, No. 164, expressing your relief upon the receipt of the news of the safety of the lives of Mr. Seward and his son, and relating the effect of this horrid crime upon the European public, and informing me of the expressions of abhorrence of the deed and sympathy with its victims which have been communicated to you by numerous gentlemen of high political distinction. It is extremely gratifying to the government and people of the United States to learn that public opinion in Europe is with them

in their sorrow. I have no doubt that you will be pleased to learn of the convalescence of Mr. Seward, and the improved health of his son.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Pike.

No. 241.] DEPARTMENT OF STATE,
Washington, June 3, 1865.

SIR: I have received your despatch of the 17th ultimo, No. 166, together with a copy of a note which you addressed to the minister of foreign affairs on the reception of the news of the surrender of the remaining military forces of the insurgents, and it is fully approved by this department.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 243.] DEPARTMENT OF STATE,
Washington, June 13, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 25th of May, No. 167, which is accompanied by a copy of an official note addressed to you by the government of the Netherlands, announcing the withdrawal of belligerent rights accorded by it to the insurgents in 1861. The conclusion of the Dutch government is what might have been expected, such a result having been anticipated by the government of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Hunter.

No. 169.] UNITED STATES LEGATION,
The Hague, June 14, 1865.

SIR: I have to acknowledge the receipt of your despatches of the 19th, 22d, and 30th of May, Nos. 237, 238, and 239, together with two proclamations of the President, referred to in No. 239.

I have on a previous occasion informed you of the withdrawal by this government of their recognition of belligerent rights to the insurgents. I now perceive, with pleasure, that this example has been followed by England and France, and that the sea is once more open to our commerce.

This result of our triumph, at least, will be widely welcomed in Europe, where many seaports have sensibly felt the decline in American shipping.

The doctrine of leniency to the leaders of the rebellion is preached in Europe, but I do not observe that it is urged except by those who favored secession and condemned the war, and who thereby lost their claims to a place among those who are entitled to advise in the present juncture.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. W. HUNTER,
Acting Secretary of State, Washington.

Mr. Seward to Mr. Pike.

No. 245.] DEPARTMENT OF STATE,
Washington, July 3, 1865.

SIR: I have received your despatch of the 14th instant, No. 169, predicting a favorable reception in Europe of the intelligence of the withdrawal from the insurgents of the character of belligerents by those governments which have accorded to them privileges upon that ground. It is to be regretted that European maritime powers so tamely yielded to slaveholders' threats, and unnecessarily conceded a belligerent character to the rebels. The evils which have resulted from the concession are deplorable, but they are passed.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 172.] UNITED STATES LEGATION,
The Hague, August 2, 1865.

SIR: I have to acknowledge the receipt of your despatches of the 26th of June, and the 3d and 15th of July, Nos. 244, 245, and 246, and also your circular despatch of July 8, in relation to the execution of the conspirators against the lives of the late and of the present President, members of the cabinet, and others.

Very copious criticisms on our affairs continue to be indulged in by European writers. The great herd of hostile commentators on our concerns, though confounded by results, cannot be abashed into silence. But they have written nobody down but themselves.

Mr. John Bright, and some others of our friends, are the only public men of note who have not lost reputation as statesmen in consequence of their vaticinations concerning our war.

The prices of our stocks here are rather retrograding. The imaginative views lately put forth by Dr. Elder, under the auspices of Mr. Jay Cooke, aiming to show that a great national debt promotes rather than hinders national prosperity, has provoked criticisms which, perhaps, have something to do with this result. Europeans have had too much practical acquaintance with war debts and taxation to have patience with such views. Of course, such speculations could have no influence if they had not a sort of semi-official sanction.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Pike to Mr. Seward.

[Extract.]

No. 173.] UNITED STATES LEGATION,
The Hague, August 16, 1865.

SIR: I am without any of your favors to acknowledge, excepting your private notes.

It is vacation time in Europe, when everybody spends a month away from home.

There are no topics of commanding interest in the political world. * *

The cholera, now menacing Europe from the shores of the Mediterranean, is regarded with solicitude, but hopes are entertained that the season is sufficiently far advanced to prevent its ravages in the north of Europe, during this season at least.

The rate of money is low, but the market is feverish. This arises, in part, from the uncertainty in regard to the crops, and partly from considerations connected with the prospective supply of the great staple of cotton. This article is again entering into commercial and financial affairs as a disturbing element. Our stocks feel the influence of this state of things, besides having to carry weight on their own account, and they thus continue to fall, being now at a lower point than they have been since the close of the war. Another thing that influences them unfavorably is the hostility to the Mexican empire which appears to animate the people of the United States, and which, it is feared, may yet involve us with France.

The apparent failure of the Atlantic telegraph cable is a great disappointment to very confident expectations. It is long since any subject has excited greater public interest than the daily progress of the Great Eastern, up to the period when communication was suddenly suspended.

A cattle plague has appeared in England to an extent which excites great alarm, since the price of butchers' meat had already risen there to an unwonted height. It is alleged, in the discussions upon the subject, that it was imported from the continent, and especially from Holland; but there is nothing of the sort in this country.

Holland has no grievances, and steadily progresses in the paths of political quiet and pecuniary prosperity.

I have the honor to be, with great respect, your obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Pike to Mr. Seward.

No. 174.] UNITED STATES LEGATION,
The Hague, August 23, 1865.

SIR: I have to acknowledge the receipt of your despatch of August 7, No. 247, with its enclosures.

I have communicated to this government what you desired in regard to Admiral de Vries, of Flushing.

Admiral Goldsborough, with the Colorado and Frolic, is now at the Texel, and with his ships was recently at Flushing, and has visited us twice at The Hague. He leaves for Cherbourg next week.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Pike.

No. 249.] DEPARTMENT OF STATE,
Washington, September 4, 1865.

SIR: Your very interesting despatch of the 16th ultimo, No. 173, informing me of the important matters which are engaging the attention of the Eu-

ropean public, has been received, and I have, in reply, to inform you that I have invited the attention of the Secretary of the Treasury to that portion which relates to the financial situation in Europe.

Upon representations which have been received from the diplomatic agents of the United States in Europe, the attention of the governors and provisional governors of the several States has been called to the reported progress of the cholera westward, and the adoption of such measures as will prevent its introduction into the United States has been recommended.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Pike.

No. 252.] DEPARTMENT OF STATE,
Washington, September 7, 1865.

SIR: I have to acknowledge the receipt of your despatch, No. 174, of the 23d of August, and your proceedings therein indicated are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., *&c., &c., &c.*

Mr. Pike to Mr. Seward.

No. 175.] UNITED STATES LEGATION,
The Hague, September 13, 1865.

SIR: I am without any of your favors since my last, excepting your No. 248. The annual ceremony of opening the legislative chambers takes place the 18th instant, for which the King and his ministers have already returned to town. The two bodies contrive to have about a dozen sessions a year between them. They practice a very old-fashioned and cumbrous form of legislation, as you may suppose, or they would have no need of such frequent sittings.

The cattle plague has at length reached Holland, and spread in the interior. It is naturally regarded with alarm in a country so full of domestic animals as this, especially of the bovine race.

The apprehended visitation of the cholera is now but little feared, as the cool weather already approaches.

The crops in this part of Europe are generally good, in this country especially so.

In England there has been much complaint, but the apprehensions of a bad harvest are less now than they were a fortnight ago, the weather since then having been remarkably fine.

Still, prices have risen, and paying rates for our breadstuffs and provisions seem likely to prevail, a circumstance favorable to our finances.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Pike to Mr. Seward.

No. 178.] UNITED STATES LEGATION,
The Hague, October 18, 1865.

SIR: I am without any of your favors excepting yours of the 2d instant, No. 252.

There is little of public interest going on in Europe at this moment excepting what refers to the cholera and the cattle plague.

A lively concern prevailed in regard to the former until a marked change of weather took place a few days ago. The exceptional condition of the atmosphere which has steadily prevailed since spring has led to constant apprehension of some unusual condition of the public health. The gales and storms which have occurred within the last week have now done much to dissipate the remains of this apprehension. The great atmospheric disturbance, it is believed, will also modify the plague raging among the cattle.

This government has been especially active in obtaining the facts in regard to the spread of this murrain in Holland, the nature of the attacks, and the medical treatment in the various cases. This information it has given to the public, through the public journals, from day to day.

When these labors shall be completed, I will endeavor to collect the facts of their experience for transmission to you. They may be of service, in case the pestilence should visit our shores.

The recent publication by the British government of the late correspondence between Earl Russell and Mr. Adams on the Alabama and kindred claims has largely occupied public attention. The apparently positive announcement that the English government will not submit those claims to arbitration excites a little uneasiness.

The report (I suppose unfounded) of a recent peremptory correspondence of our government with France on the Mexican question has had a similar effect.

The popular mind is alert to snuff the daily apprehension in the conduct of the now "great republic."

Following the scornful taunts of the last four years, these apprehensions are not, perhaps, unnatural.

I have the honor to be, with great respect, your most obedient servant,

JAMES S. PIKE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Seward to Mr. Pike.

No. 257.] DEPARTMENT OF STATE,
Washington, November 6, 1865.

SIR: You will excuse my delay in acknowledging your despatch of May 31, No. 168. Your proceedings therein referred to are approved, and your observations upon the European sentiment towards the United States are appreciated.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c., &c., &c.

Mr. Seward to Mr. Pike.

No. 258] DEPARTMENT OF STATE,
Washington, November 6, 1865.

SIR: I have received your despatch of the 18th ultimo, No. 178, and shall cause that part of it which relates to cholera to be published. The despatch, as a whole, is approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JAMES S. PIKE, Esq., &c , &c., &c.

NETHERLANDS LEGATION.

Mr. van Limburg to Mr. Seward.

[Translation.]

NEW YORK, *December* 28, 1864.

SIR: I have just received information from the copy herewith of a telegram received by the consul of the Netherlands at New Orleans, and purporting that the Netherlands ship Geziena Hildegonda, Captain B. P. Janson, going from Liverpool to Matamoras, had been captured by the United States gunboat Pembina. I have the honor, sir, to beg you to be so good as to communicate to me the motives for this capture, *prima facie* astonishing, if not contrary to the law of nations, and I deem it my duty to protest, meantime, against whatever may be illegal therein and hurtful to the interests of the captain, owners, and other Netherlanders interested.

I have the honor to reiterate to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. WILLIAM H. SEWARD,
Secretary of State of the U. S. of America, Washington.

[Enclosure.]

OFFICE UNITED STATES MILITARY TELEGRAPH.

The following telegram received at New Orleans, December 15, 1864:

[From Southwest Pass, dated December 15, 1864.]

NETHERLANDS CONSUL: The Dutch brig Geziena Hildegonda has crossed the bar as a prize to the United States steam gunboat Pembina. I am from Liverpool, bound to Matamoras. Please advise the British consul of the above.

B. P. JANSON, *Master.*

AM. CONTURIE,
Consul des Pays Bas.

Mr. Seward to Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, January 11, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 28th ultimo, relative to the alleged improper capture of the Netherlands ship Geziena Hildegonda by the United States gunboat Pembina, and, in reply, to inform you that I have transmitted a copy thereof to the Secretary of the Navy, requesting him to investigate the matter with a view to such proceedings as the result may warrant.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG.

Mr. Seward to Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, January 17, 1865.

SIR: Referring to your note of the 28th ultimo, in which you ask to be informed of the motives which induced the capture of the Netherlands ship Ge-

ziena Hildegonda by the United States ship-of-war Pembina, I have the honor to communicate, in reply, a copy of a letter of the 14th instant from the Secretary of the Navy, and that of a report made by the commander of the capturing vessel.

Accept, sir, the renewed assurance of my very high consideration.

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG.

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT,
January 14, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 11th instant, enclosing a copy of a note from Mr. Roest van Limburg, the Netherlands minister, who wishes information concerning the capture of the Netherlands ship Geziena Hildegonda by the United States steamer Pembina.

The enclosed copy of a report, dated the 4th ultimo, received from Lieutenant Commander J. G. Maxwell, affords all the information on the subject in the possession of the department. The vessel has, it appears, been sent to the court at New Orleans to be adjudicated.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Lieutenant Maxwell to Mr. Welles.

UNITED STATES STEAMER PEMBINA,
Off Brazos Santiago, Texas, December 4, 1864.

SIR: I have the honor to inform you that I have this evening seized the Holland brig Geziena Hildegonda, B. P. Janson, master, from Liverpool to Matamoras. She was discovered at 10.20 a. m., bearing north by west, and at the time standing to the southward, but close in shore. At 4.30 p. m., sent a boat in charge of Acting Ensign C. L. Crandall to overhaul her, she being within two miles of shore.

Mr. Crandall, on his return, reported her to be suspicious, having an assorted cargo, consisting of medicines, gunny cloth, iron, cloth, mule traces, &c., &c.

I have sent her in charge of Acting Ensign C. L. Crandall and Acting Master Henry T. Davis, with a crew of seven men, to New Orleans for adjudication.

Very respectfully, your obedient servant,

J. G. MAXWELL,
Lieutenant Commander, Commanding.

Hon. GIDEON WELLES,
Secretary of the Navy, Washington, D. C.

Mr. van Limburg to Mr. Seward.

[Translation.]

NEW YORK, *January* 20, 1865.

SIR: I have had the honor to receive your note of the 17th instant, informing me of a letter addressed to you by the Secretary of the Navy, and of a report made to him by the commander of the United States steamer Pembina, relative to the capture of the Netherlands ship Geziena Hildegonda by the said steamer.

As for all that results from such reports, our ship in going from a neutral port to a neutral port—that is to say, from Liverpool to Matamoras—*prima facie*, and in absence of proof to the contrary, should have been considered as in lawful commerce and navigation, from which it should not have been caused to deviate. I cannot (in the inadequate knowledge I thus far have of the facts in the case

and of the circumstances) but renew the protests and reservations which I deemed it my duty to do in the letter which I had the honor to address to you under date of the 28th December last.

I will, however, hasten to communicate to the king's government the papers which you have done me the honor to send to me.

I have the honor, sir, to reiterate to you the assurance of my very high consideration.

ROEST VAN LIMBURG.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States of America, Washington.

Mr. Seward to Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, February 9, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 20th ultimo, relative to the capture of the Netherlands ship Geziena Hildegonda, and to inform you that I have submitted a translation thereof for consideration to the Secretary of the Navy.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG, *&c., &c., &c.*

Mr. van Limburg to Mr. F. W. Seward.

NEW YORK, *April* 7, 1865—26 *Lafayette Place.*

DEAR SIR: With the greatest regret I learnt through the newspapers the serious accident which happened to your respected father, the Secretary of State. I beg you to feel assured, and to assure for me Mr. Seward, that I take a very sincere part in the general sorrow which it has created, and that I most earnestly hope for his prompt recovery. The news of it would cause me the greatest joy.

Please accept, sir, the renewed assurance of my high consideration.

ROEST VAN LIMBURG.

Hon. F. W. SEWARD,
Assistant Secretary of State.

Mr. F. W. Seward to Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, April 8, 1865.

DEAR SIR: I have received your note of yesterday, and I thank you for the friendly expressions which it contains concerning the late accident to the Secretary of State. I am happy to announce that, though still suffering much pain, his wounds have thus far been attended by no unfavorable symptoms, and that hopes of his speedy recovery are confidently entertained by his attending physicians.

Very faithfully, yours,

F. W. SEWARD,
Acting Secretary.

Mr. ROEST VAN LIMBURG, *&c., &c., New York.*

Mr. van Limburg to Mr. Hunter.

[Translation.]

NEW YORK, *April* 22, 1865.

SIR: Relative to the affair of the Netherlands ship Geziena Hildegonda, captured by the United States steamer Pembina, an act which made room for my notes of the 28th December and the 20th January last, as well as for the notes from the Department of State, dated the 11th and 17th January, and others of the 9th of February of this year, I have just received from our consul at New Orleans copy of a letter written to him by the lawyer of the captain of the captured vessel. It does not pertain to me to pass upon the contents of this writing, but, knowing the conciliatory disposition of the Department of State, I ask your permission, sir, to communicate to you, amicably and confidentially, this letter, so that you may give to it such attention as it shall seem to you to merit.

I have the honor, sir, to reiterate to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. WILLIAM HUNTER,
Acting Secretary of State, &c., &c., &c.

Mr. Hunter to Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, April 28, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 22d instant and of its enclosure, relative to the case of the Netherlands ship Geziena Hildegonda, and to inform you that I have transmitted a translation thereof to the Secretary of the Navy, whose attention has been recalled to the matter.

Accept, sir, a renewed assurance of my high consideration.

W. HUNTER,
Acting Secretary.

Mr. ROEST VAN LIMBURG.

Mr. van Limburg to Mr. Hunter.

[Translation.]

NEW YORK, *May* 16, 1865.

SIR: In the Netherlands, as everywhere else, the news of the assassination of President Lincoln and of the attempt on the life of the Secretary of State has caused a universal shock and deep indignation.

On the part of the royal government, the minister of foreign affairs would have wished to request Mr. Pike to be so good as to transmit to Washington the assurances of the sorrowful impression caused throughout the Netherlands by this double crime; but the temporary absence of the minister resident of the United States not putting that in his power, it is in virtue of the King's order, and in accordance with a resolution adopted by a council of ministers, that I am charged to present without delay to the American government the assurance of lively sympathy in the loss and profound indignation at the crime in which all the Netherlands partake with the King.

I am charged to express, sir, at the same time, the wishes of his Majesty and of the royal government that Divine Providence may preserve the life of Mr. Seward, so precious to the people of the United States.

In acquitting myself of this duty, sir, I have the honor to repeat to you the assurances of my high consideration.

ROEST VAN LIMBURG.

Hon. WILLIAM HUNTER,
Acting Secretary of State, Washington, D. C.

Mr. Hunter to Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, May 19, 1865.

SIR: I have the honor to acknowledge the receipt of the note which you addressed to me on the 16th instant, in which, under the orders of your sovereign, and in virtue of a resolution adopted by a council of ministers, you inform me that you are charged to present, without delay, to this government the assurances of lively sympathy in the loss sustained by the American people in the assassination of the late President, Abraham Lincoln, and profound indignation at the crime, in which sentiments you inform me that all the Netherlands partake with his Majesty.

You also, at the same time, acquit yourself of the further commission of expressing the wishes of his Majesty and of the royal government that Divine Providence may preserve the life of Mr. Seward.

I have the honor to inform you, sir, in reply, that these kindly manifestations of sympathy and friendship are very grateful to the feelings of the government and people of the United States, and I must beg you to make this known to his Majesty and to the government of the Netherlands.

Accept, sir, a renewed assurance of my high consideration.

W. HUNTER, *Acting Secretary.*

Mr. ROEST VAN LIMBURG, *&c., &c., &c.*

Mr. van Limburg to Mr. Hunter.

[Translation.]

DETROIT, *May* 25, 1865.

SIR: The minister of the King for foreign affairs has just given in charge to me, to communicate to you, a resolution passed on the 2d instant by the second chamber of the states general, tending to invite the royal government to make known to the government of the United States the sorrow and indignation the chamber has felt on learning the perfidious and base outrage of which President Abraham Lincoln has been the victim.

On the occasion of this resolution, its mover, Mr. de Zuylen de Nywelt, remarked that in the Netherlands it was caused, more, perhaps, than any like resolution could be elsewhere, not alone by the ties of friendship and of alliance which for a long period have existed between the two countries, but, moreover, by the circumstance that a great many old families of Holland have established themselves in the United States, and that our country, at a period already remote, contributed much to the sowing of the seed from which the great American nation has sprung forth at a later day.

The minister of foreign affairs, fully adopting this principle, expresses anew the general indignation at the horrible crimes by which the President of the United States was snatched away from his great task at the moment when achieving the object of his efforts, and by which the lives of the Secretary and Assistant Secretary of State were put in peril.

It was in the nature of things, said Mr. Cremers, that the assassination of a man whose character bore so great a resemblance to that of the noble founder of our liberties should make a profound impression. Here where the name of Balthazar Gerard [the assassin of William of Orange] is even now never pronounced without horror, a crime resembling his must excite extraordinary sympathy and indignation.

I take pride, sir, in being again instructed to express to you similar sentiments. They cannot but convince you, as well as the President and people of the United States, of the lively and sincere friendship which attaches the Netherlands to the United States of America.

Please accept, sir, the fresh assurance of my very high consideration.

ROEST VAN LIMBURG.

Hon. WILLIAM HUNTER,
Acting Secretary of State, &c., &c., &c.

Mr. Hunter to Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, June 3, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 25th ultimo, informing me of the passage of a resolution, on the second of the same month, by the second chamber of the states general of the Netherlands, inviting the royal government to make known to the government of the United States the sorrow and indignation the chamber has felt on learning of the assassination of President Lincoln, and further giving me the substance of the views expressed on the occasion by Mr. Zuylen de Nywelt, the mover of the resolution.

In that note you also convey to me renewed expressions on the part of the minister of foreign affairs, adopted in conformity with the spirit of the resolution, of the indignation and horror experienced in the Netherlands at the crimes by which the late President was taken from this life, and by which the lives of the Secretary and Assistant Secretary of State were imperilled.

In the renewed manifestations of condolence which are thus offered to the government and people of this country on behalf of those of the Netherlands; in the succeeding report of the resemblance between the character of the founder of the liberties of the Netherlands and that of our lamented President Lincoln, showing the livelier sympathy between the two nations naturally following that resemblance pointed out by Mr. Cremers; and in your concluding assurance of friendship, I am happy to recognize on the part of the government and people of the United States a spirit of cordial amity, and sensibility to our national bereavement, which will always be gratefully remembered by them; and I must beg you to acquaint the minister for foreign affairs with these sentiments.

Accept, sir, a renewed assurance of my high consideration.

W. HUNTER,
Acting Secretary.

Mr. ROEST VAN LIMBURG, *&c., &c., &c.*

Mr. van Limburg to Mr. Seward.

[Translation.]

BRATTLEBOROUGH, *August* 7, 1865.

SIR: The government of the King having asked me for information on the state of things relative to the Netherlands ship Geziena Hildegonda, captured

by the United States gunboat Pembina, as to which reference was had in the last place in my note of the 22d April this year, I have the honor to ask your permission to request you will be so good as to enable me to furnish the information desired.

Please accept the fresh assurance of my very high consideration.

ROEST VAN LIMBURG.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States of America.

Mr. Seward to Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, August 22, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 7th instant, requesting to be informed of the progress attained in the adjustment of the case of the Geziena Hildegonda, and to inform you that I have addressed a communication upon the subject to the United States district attorney at New Orleans, with a view to furnish myself with such information as will enable me at an early day to comply with your request.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG, *&c., &c., &c.*

Mr. van Limburg to Mr. Seward.

[Translation.]

WASHINGTON, *October* 30, 1865.

SIR · I have the honor of asking your permission to recur to my letter of the 7th of August last, relating to the affairs of the Geziena Hildegonda, concerning which, in your letter of the 22d of August, you did me the honor to say that you had demanded information from the district attorney in New Orleans.

The government of the King has written to me repeatedly on the subject. I would be very much obliged to you if you would enable me to give it the proper information of what has been done, and would use your great influence to have the affair ended in the way we all most desire.

I have the honor of repeating the assurance of my very high consideration.

ROEST VAN LIMBURG.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Mr. Seward to Mr. van Limburg.

DEPARTMENT OF STATE,
Washington, November 15, 1865.

SIR: I have the honor to acknowledge the receipt of your note of the 30th ultimo, relative to the case of the Netherlands ship the Geziena Hildegonda. In reply, I have the honor to inform you, with much regret, that as yet no communication upon the subject has been received from the United States attorney at New Orleans, to whom the matter was referred, as stated in my note to you of the 22d of August last. I have again called the attention of that officer to the matter, who has been requested to communicate to this department, without further delay, such information regarding the case in question as may be in his power.

Accept, sir, a renewed assurance of my high consideration.

WILLIAM H. SEWARD.

Mr. ROEST VAN LIMBURG, *&c., &c., &c.*

CHINA.

Mr. Burlingame to Mr. Seward.

No. 51.] LEGATION OF THE UNITED STATES,
Peking, October 5, 1863.

SIR: I have the honor to address you in relation to the Caldera claim, just brought to my attention by the Hon. Moses H. Grinnell and other parties, in two letters, marked A and B; one private, the other official.

These parties complain of the award made in this case by the commissioners at Macao, in January, 1860, and desire that the commission may be re-opened at Washington, and that I will, in the interests of justice, remove the obstacle in the way of their success which they find in my despatch No. 25, of May 19, 1862. Wishing to do no injustice, and desirous, from my personal esteem for Mr. Grinnell, to aid him in every proper endeavor, I at once entered upon an examination of the history of the claim, as found in the legation archives and records of the commission; and that nothing might be left undone, I requested Dr. Williams, our secretary of legation, as he had been conversant with the claim from the beginning, to give me such information in relation to it as he might possess.

The result of my investigation is that I am constrained to differ from Mr. Grinnell, and to conclude that he has been misinformed as to the facts in the case. The points of difference are very clearly set forth by Dr. Williams in his letter to me, marked C.

You are aware that Mr. Reed, at Tientsin, in 1858, came to a general understanding with the Chinese government as to the payment of American claims, and that subsequently, by a convention at Shanghai, November 8, 1858, it was definitively arranged that they should pay a certain sum in gross, (500,000 taels,) which should be in full satisfaction of all the claims of our citizens up to that date. The government of the United States undertook to pay the claimants. Mr. Reed classified the claims as well as he could, but did not pass judicially upon them, only recommending the President to appoint a commission to decide them. In pursuance of this recommendation, an act of Congress, approved March 3, 1859, was passed, and the President appointed two citizens of the United States, resident in China, viz., Charles W. Bradley, LL.D., and Oliver E. Roberts, as commissioners. They commenced their sittings at Macao, November 14, 1859, and closed them January 13, 1860, having given general satisfaction to the claimants. Claims to the amount of $1,513,797 53 came before them, for which they awarded $489,694 78, leaving an unexpended balance of nearly $200,000.

Among the claims adjudicated was that of the Caldera, being a claim of citizens of the United States for piratical depredations alleged to have been committed on the cargo of a Chilian vessel of that name. The commissioners differed in opinion as to its merits, and wrote out their views in two elaborate and able papers, which may be found in the records of the commission in the State Department. Dr. Bradley resisted the claim in toto. Mr. Roberts favored it to the actual extent of loss by the sufferers, which he, as the supporter in principle of the claim, estimated at 40 per cent., with 12 per cent. interest for five years. The whole claim was for $89,727 09. This award was approved by the minister, Mr. Ward. The above is a brief history of the case as found on the records.

I now come to the complaints of the parties dissatisfied with the award. They are compounded of law and facts, and range themselves under three principal heads:

First. That the instructions of Mr. Marcy and Mr. Cass, in 1855 and 1859, respectively, had settled the legal principle on which the claim was to be adjudicated; that the schedule made out by Mr. Reed determined the amount of the same, and that the Chinese government had recognized its validity.

Second. That the claimants had not sufficient notice of the sittings of the commission, and consequently had no time to prepare and present their case.

Third. That the proceedings were *ex parte* and were improperly conducted, in so far that evidence was withheld by Mr. Ward, which, had it been presented by him, would have led the commission to make a more favorable award.

As to the first complaint, it appears from the archives and from Dr. Williams's letter that Mr. Reed in no sense considered that by classifying the claims he was adjudicating them. If so, why did he not require the Chinese government to pay the full amount of $1,211,895, as stated in his schedule? In his despatch to the department he thought 600,000 taels would be sufficient, but when the convention was settled he fixed it at 500,000 taels, and finally $498,694 proved adequate for their payment. He suggested a commission, and drew the outline for an act of Congress creating one. By this act the commission was authorized to pass upon the claims according to the "principles of justice and international law." If the claims had been paid on the principle suggested by the complainants, the *pro rata* sum they would have received would have been $16,655; so that the principle contended for by them goes too far, unless they would make their case an exception.

There is even less ground for founding a claim on the instructions of Mr. Marcy and Mr. Cass. These high officers, animated by a desire to secure justice to our citizens, pressed the diplomatic representative of the government in China in favor of the claimants; but they could not have imagined that their instructions in this respect would be held to override an act of Congress subsequently passed in reference to those very claims. As to the assertion that the Chinese government had recognized the validity of the claims, Dr. Williams and the archives both show that no list was ever laid before them; but, on the contrary, they expressly refused to enter into such questions, and paid a sum in gross to be rid of them forever; and even went further, refusing to complicate themselves, even remotely, in liquidating the claims, by declining to receive back any surplus that might remain after payment. The Caldera's claim, therefore, came before the commission on its own merits.

With regard to the second complaint, touching the want of time to prepare their case, Dr. Williams shows that there was ample time. As early as March, 1859, the act of Congress was passed directing where the commission should sit; and besides that general intimation to all interested parties, nearly a year before, in May 27, 1858, he had addressed a notice to Messrs Russell & Co. and Nye Brothers & Co., agents in China for the insurance companies, asking them to prepare their evidence in this case. To this the claimants had responded by attorney, and documents were handed in on their side to the extent of nearly thirty papers, to which were added as many more furnished by the legation.

As to the protest alleged to have been made by Russell & Co., there is no evidence in the legation that any such protest was ever made. Dr. Williams distinctly states that when he paid the first dividend on this claim no protest was made, and he has no recollection of hearing of it subsequently.

With regard to the third complaint against Mr. Ward and the reference to the conduct of the case, I have also to say that the intimations that he withheld the instructions of his government does that gentleman great injustice. He did not make his decision until after reading them, and Dr. Williams, who was cognizant of the circumstances, states that they were spoken of at the time to the

commissioners; and, moreover, the copy of the award quoting them is partly in the handwriting of Mr. Roberts. Dr. Williams bears his most earnest testimony to the carefulness and integrity of all Mr. Ward's proceedings in the case. He did all he could for the claimants, as did every member of the legation; and in the Caldera's case there was more evidence adduced than in any other before the commission.

From these facts it appears that this claim was fully considered and decided under the most favorable circumstances for the complainants, who received two-thirds of the sum originally claimed, when it seems to me they were not entitled to one farthing. I agree entirely with the able opinion of Dr. Bradley against the whole claim; and also with the antecedent opinion of Mr. McLane, in November, 1854, in the same sense. To both these opinions I most respectfully refer you.

I am informed that Mr. Ward held views coincident with theirs, but that he felt constrained by the instructions from the State Department to decide in favor of the parties to the extent of their actual losses by the alleged laches of the Chinese government. After this award, to learn that a still further claim should be put forward fills me with amazement, and makes me certain that my distinguished friend, Mr. Grinnell, has been misinformed as to the facts of the case.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Enclosure A.]

Mr. Grinnell to Mr. Burlingame.

NEW YORK, *June* 15, 1863.

SIR: We beg leave to address you on the subject of the Caldera, one of the claims embraced by the agreement or convention dated Shanghai, November 8, 1858, supplementary to the treaty of Tientsin, and in which we are interested to a considerable amount.

You are well aware that the payment which the Chinese government, by that agreement, promised to make, and did in fact make, for the satisfaction of private claims of citizens of the United States, was of a sum in gross intended to cover all such private claims to the date of the treaty.

It appears to have been based upon a schedule presented by the American minister, Mr. Reed, but the terms of the agreement and the accompanying correspondence serve to show that the payments of China were to be a full satisfaction, not of the specified claims only, but of all others, if any, which might then exist, transferring to the government of the United States the sole power and duty of distributing the indemnity money among the claimants, in accordance with its own views of justice and right, and relieving the Chinese government of all further reclamation or responsibility in the premises. That is to say, the sum paid was a fund for the satisfaction of all just and reasonable claims, committed to the United States in trust, to be distributed among the parties beneficially intended in the fund. To this end, the United States proceeded, by act of Congress of March 3, 1853, to establish an *ex parte* commission of two citizens of the United States to pass upon the claims in question, subject to the approbation of the American minister in China. Of the claims allowed by the commissioners, and which have been discharged as the stipulated payments on debentures of the Chinese government were made, the total amount is $498,694, leaving a surplus of indemnity paid or payable of about $200,000 in the hands of the United States.

Much of the surplus, it would appear, is the result of the commissioners having rejected, in whole or in part, claims which had been considered valid by Mr. Reed, which were noted on his schedule of claims, and the validity of which was thus, in a certain sense, recognized by the Chinese government. Such a case was that of the Caldera, being the claim of citizens of the United States for piratical depredations on the cargo of the vessel of that name. This claim was admitted in principle and allowed in part, but was disallowed in part on objections which we feel assured we could have met but for the fact that on account of the sessions of the commissioners being held in China, and of the brief time allowed by the act of Congress for the hearing of the cases, we had no sufficient opportunity of presenting our views, either to the commissioners or to the minister, (Mr. Ward.) We confidently believe that injustice has been done to us, and that this would fully appear to the commissioners and the minister, if the case could be fully and properly heard.

In this conviction we are petitioners to Congress for relief in the premises, which relief, in a form perfectly unexceptionable, we should obtain but for the obstacle interposed "of an unfavorable opinion of the American legation in China." What we ask of the government is to afford us the opportunity (which we have not yet enjoyed) of being fully heard in the facts and merits of our whole claim, either before the commission revived or before the Secretary of State.

This we respectfully but earnestly pray you to favor, not only as an act of justice to ourselves, but also to the intention and end of the Chinese government.

We have, &c., &c.,

M. H. GRINNELL,
President Sun Insurance Company, and for Other Companies.

His Excellency ANSON BURLINGAME, *&c., &c., &c.*

MEMORANDUM.—*Award of the Caldera claim of the Sun Mutual Insurance Company, represented by Messrs. Russell & Co., in China.*

Sun Mutual Insurance Company:		
Claim—$34,970 08, at 40 per cent., is	$13,988 03	
Five years' interest, at 12 or 60 per cent., is	8,392 82	
	22,380 85	
Due on the principal and unpaid		$20,982 05
Five years' interest, 60 per cent., to be added		12,589 20
		33,571 25
New York Mutual Insurance Company, represented by Messrs. Russell & Co.:		
Claim—$22,000, at 40 per cent., is	8,800 00	
Five years' interest, at 12 or 60 per cent., is	5,280 00	
	14,080 00	
Due on the principal and unpaid		13,220 00
Five years' interest, 60 per cent., to be added		7,932 00
		21,152 00
Mercantile Insurance Company:		
Claim—$13,912, at 40 per cent., is	5,564 80	
Five years' interest, at 60 per cent., is	3,338 88	
	8,903 68	
Due on the principal and unpaid		8,347 20
Five years' interest to be added, 60 per cent		5,008 22
		13,355 42

[Enclosure B.]

Mr. Grinnell to Mr. Burlingame.

NEW YORK, *June* 16, 1863.

MY DEAR SIR: Under my official signature, dated the 15th instant, I have already had the honor to address you with reference to the Caldera's claims, which were partially adjudicated and forty per cent. awarded; which award, however, was received under protest by Messrs. Russell & Co., advising the claimants had recourse to Washington for further redress.

'Tis well for me, perhaps, to state, in order to familiarize yourself at once with the Caldera case, that a claim was set up by the government of the United States, decided by Mr. Marcy, then Secretary of State, to be a valid one, to hold the Chinese government responsible for indemnity. Instructions were then given to the resident minister in China, the Rev. Dr Parker, to present the claims, which he did without a successful result.

Subsequently, however, the Rev. Mr. Reed, occupying the position of minister, negotiated a treaty, in which provision for the payment of the Caldera's claims was made and guaranteed through the customs of Canton, Shanghai, and Fuhchau, and as received applied by instalments to the liquidation of adjudicated claims. The Caldera's claims, among others, were submitted to a board of commissioners in China, appointed by the government at Washington, for adjudication of claims—the American minister, the Hon. Mr. Ward, acting as umpire.

Meanwhile it became necessary to bring the Caldera's claims before the government at Washington for decision upon the legality of the claims under the American treaty with China, and also under the law of nations. Mr. Cass, then Secretary of State, lost no time in deciding the claims to be valid, not only under the treaty with China, but also under the law of nations, and instructions were sent to the resident minister, Mr. John E. Ward, to so consider it. This settled the principle and disposed of the case, so far as the government was concerned.

The case then, among others, came up before the two commissioners; Mr. Roberts decided in favor, and Mr. Bradley against it; the Hon. Mr. Ward, *meanwhile, unaccountably and strangely withholding the decision of the government from the commissioners.* Mr. Roberts awarded 40 per cent., with interest.

Under the instructions Mr. Ward received from the Secretary of State, he of course confirmed Mr. Roberts's award; the latter, however, was kept in total ignorance of the instructions of the government to Mr. Ward, which undoubtedly would have aided the commissioners in reaching a very different result.

We now complain of the amount adjudicated for the reason that time was not allowed, through notice from the commissioners, to prepare an argument to cover the case when under their examination; and owing to the board not being conversant with insurance, did not consider the merits of the marine loss through the protest, with full evidence and testimony before them; thus the interest of the claimants suffered in the absence of any protection. The claimants now petition and pray of the government to reopen the commission at Washington for a hearing upon their case, on the ground that twelve months' notice at least should have been given to the parties in the distance, and afforded them time to have placed before the commissioners a full argument upon the equitable and legal amount to which they were entitled. If it could be adjudicated at Washington, it would be the shortest mode of settlement; it would also seem as if, with all the testimony in the United States for a reconsideration before commissioners at Washington, or before the Secretary of State, who may be authorized to act through an act of Congress, it might be speedily settled here.

Mr. Robert S. Sturges and D. N. Spooner, in China at the time of the destruction of the Caldera, and latter then United States consul, both of whom were partners of Russell & Co. at the time, and sided strongly in favor of the claims without abatement, still declare the full amount with interest should be collected.

Now, you will pardon me for asking if it is right and just for these claims to be debarred a hearing, when such injustice has been so monstrously made apparent, particularly so when considered with the fact that the minister, Mr. Ward, withheld from the commissioners his instructions to require indemnity—at the same time provision already made by the Chinese government to indemnify the claims in full, leaving no adjudication really necessary, as the underwriters had paid the assured in full, for the face of the policies. It would seem a hard case indeed, if, ample funds still existing and provided to pay these very identical claims, under a special decision of the government at Washington, equity and right should fail to correct the oversight and errors of the commissioners under Mr. Ward's administration; and I cannot, under the facts and circumstances set forth, for a moment doubt you will withhold your kind offices in recommending the case to Washington, which will readily settle the matter. Indeed, it was in a favorable train for such an end when your despatch of the 19th of May, 1862, reached the Secretary of State and frustrated, for the time being, the steps already taken, through the Committee on Foreign Relations. Here the matter rests at present to afford the claimants time to address you, with the hope you may reconsider the matter, and report to the government favoring their petition for a hearing at Washington.

Giving the case immediate attention, and report by an early mail to enable the claimants to renew their efforts in December next, you will confer a very great favor on, dear sir, yours very truly,

M. H. GRINNELL.

His Excellency A. BURLINGAME,
United States Minister, &c., &c., &c.

[Enclosure C.]

Mr. Williams to Mr. Burlingame.

PEKING, *October* 1, 1863.

SIR: I have carefully read the two letters of Mr. Grinnell, dated June 15th and 16th ultimo, which you placed in my hands, and in compliance with your request, I now make a few remarks upon them, explanatory of the claim of the underwriters of the Caldera, and its decision by the commissioners of claims in January, 1860.

In the letter of June 15 Mr. Grinnell remarks, in reference to the convention of claims, signed November 8, 1858, that the sum given by the Chinese government was intended to cover all private claims of American citizens to that date, estimated from a schedule presented to their officers by Mr. Reed; and, to quote his words, "was a fund for the satisfaction of all just and reasonable claims committed to the United States in trust to be distributed among the parties beneficially interested in the fund." This explanation of the principle of the convention is no doubt a just one; and yet if he means thereby to convey the impression that the Chinese negotiators granted so much money out of the duties on American commerce to the United States minister with which to pay a certain number of claims of American citizens presented to them, Mr. Grinnell has been misinformed as to the details of the negotiations. No schedule was ever presented to the Chinese officers, nor did they ever ask for a list of the claims; and when questioned as to a participation in their adjudication, declined to have anything to do with the decisions. The amount inserted in the convention was reduced by $140,000 from the sum first demanded, in consequence of further information obtained by Mr. Reed respecting the claims, and not at the request of the Chinese. The United States government was made the sole judge of the justice of the claims, and the Chinese have never made any inquiry as to the disposal of the money.

It is incorrect, therefore, to infer, that by presenting the schedule of claims to the Chinese officers they accepted them; and that by the same act Mr. Reed considered them all to be valid; for, in fact, no schedule was ever laid before them, nor did Mr. Reed examine them judicially in reference to their accuracy or validity. He merely submitted them to the State Department, with such explanations and classifications as seemed desirable for understanding the whole subject. In no sense can it be said, therefore, as Mr. Grinnell remarks, "that the validity of the claims was ever recognized by the Chinese government." On the contrary, when this particular case was presented to them, in 1856 and 1857, they rejected it peremptorily as not coming under the treaty. In reality, they paid the demands made upon them by the English and French ministers as well as the American, under pressure; and never admitted that there was any justice in any of them, nor would they voluntarily have ever paid a single claim.

The case of the Caldera, consequently, came before the board of commissioners of claims, as all the others did, entirely upon its own merits; and the members of that board never had an idea that their awards on it or any other claim were to be influenced by what the Chinese thought of them. It had been put out of their power to offer even an opinion of the justice of the award in a single instance.

In his letter Mr. Grinnell complains that the claimants for the Caldera suffered injustice because they were not heard before the commissioners or minister; but in truth this case was illustrated by more evidence, direct and collateral, than any other one presented—not only as to the condition of the ship and cargo after the storm, the circumstances of the several attacks of the pirates, and the disposal of the cargo after she had been pillaged, but by full arguments in regard to the legal and international features involved in the transaction. All the evidence obtained at Hong Kong, Macao, Kulan, and Canton, in 1854, at the time the casualty occurred, was before the board, showing all the known facts; and so, too, were all the arguments contained in the correspondence of Mr. McLane and Mr. Parker with Chinese officials, and of the former with the agents in China of the underwriters, and the elaborate argument of Mr. F. B. Cutting, of December 3, 1855, in behalf of the case. All the vouchers, accounts, policies and affidavits pertaining to it were on hand and spread before them; and it is nearly certain that no new fact could have been discovered if the case had been argued in the United States, for the actors in the transaction were not there; nor can I imagine what new arguments the claimants would have brought forward. It is difficult to perceive wherein they have lost any advantage by having their case decided in China.

Complaint is also made in these letters of want of time to prepare the case for a hearing by the commissioners, owing to the distance, the limited period of their session, and inadequate notice. The fact of distance could not have been a hardship, for the claimants knew as early as March, 1859, when the act of Congress was passed, that the board was directed to sit in China, and that their case was to come before it; and, consequently, that no time need be lost to prepare their proof. But nearly a year before, on the 27th of May, 1858, I addressed a note to Messrs. Russell & Co., and Nye Brothers & Co., as agents for the insurance companies, asking them to prepare and furnish evidence respecting the ownership of the property, and circumstances of the loss of the Caldera, that it might be deposited in the archives, to be used in case the claims were adjusted with the Chinese government. In reply to this note, apparently, Mr. Cutting, their attorney, sent three documents, September 10, 1858, to Mr. Reed, explanatory of the case, and after the board commenced its sittings at Macao, Russell & Co., in December 5, 1859, added many more vouchers and accounts, making in all about thirty separate papers and pleadings, touching upon this one claim. There were nearly as many more besides, scattered through the archives of the legation, which were accessible to the commissioners.

It is always difficult to disprove negative assertions, but in this case I cannot see how the distance, or the limited session of the commission, operated against the claimants, for they had a longer notice than they now say would have sufficed, and seem to have fully availed

themselves of it. If oral pleading was desirable to secure a successful issue, as Mr. Grinnell intimates, why did not the agents in China come before the board and plead the case? There can be little ground for supposing that either the commissioners or minister lacked any evidence or argument to enable them to come to an intelligent decision.

Among the papers now on file relating to the Caldera, there is no copy of a protest or appeal from Messrs. Russell & Co. when they received the award; nor when I paid them the first dividend of $21,950 62 in January, 1860, did I receive a protest, and I have no recollection of hearing of it at any time after that date. Messrs. Alvord & Co., whose claim for losses at the same time was decided on the same principle, made no appeal against their award.

The remarks in Mr. Grinnell's letter relating to the decision of the Caldera's case need some correction, for he seems to have been misinformed. As soon as the board commenced its sittings, November 14, 1859, all the documents relating to it, as well as others, were handed to the commissioners out of the archives, and, as appears by their journal, those concerning this case were discussed on two or three occasions. Their views concerning it finally differed so entirely that they deemed it best to write out their reasons at length and submit them to Mr. Ward as umpire. The two documents number forty-six folio pages, and recite the particulars connected with the piracy and collusion of the officials, and enter at length into the question as to the liability of the Chinese government to make compensation for the injury done by its lawless subjects, the whole drawn up so carefully as to render it almost unnecessary to refer elsewhere for information or argument.

Mr. Ward was at first inclined to take Dr. Bradley's view of the case; but when the despatch of Mr. Marcy, of October 5, 1855, was referred to, and its subsequent confirmation by Mr. Cass, in May, 1859, he remarked with some degree of satisfaction that the decision was thereby taken out of his hands, and, as he observes in his written award, "his duty will be discharged by ascertaining as near as possible what have been the actual losses of our citizens." Mr. Grinnell seems to lay so much stress on the words *actual losses* in Mr. Marcy's despatch, as to overlook the principle that they should be construed by the context of circumstances, and to be defined and to include and mean only those losses caused by the pirates. Mr. Marcy could hardly have intended that the Emperor of China should be made responsible for damages by tempests and leakage, even if intimately connected with these by pirates in time and place. But Mr. G. almost assumes that the commissioners or Mr. Ward had no option left as to their decision, but must pay the whole claim of $89,727 09, because it was all an actual loss. This idea he derives from the postulate, on the one hand, that the Chinese government had accepted the schedule of claims presented to them by Mr. Reed, and had paid a sum of money to liquidate them, which were thereby supposed to have been declared valid; and, on the other hand, because the Secretary of State acknowledged this one in particular to be a just claim. He then concludes that as these two principal parties had thus acted, there was no real authority left with the board of claims to adjudicate it and no occasion for them to interfere.

But it has been shown that no list was presented to the Chinese by Mr. Reed, nor did he decide on the validity of one of them, and that the commissioners were made by the act of Congress the sole judges of all claims presented to them. Mr. Ward made his decision after reading his instructions, which I know were spoken of to them at the time, for I was cognizant of all the circumstances; and, moreover, the copy of this decision now on file is partly in the handwriting of Mr. Roberts.

What advantage Mr. Ward proposed to himself or any one else by withholding Mr. Marcy's despatch I cannot conceive, for he could not take the case out of the commissioners' hands, and their written statements prove that they decided it on its own merits. Mr. Roberts's favorable award is based on broad grounds of international law, and implied protection and fulfilment of treaty rights by the Chinese government, which obliged them to act more energetically to remedy the piracies common along their coasts, and the pleading concludes with the admission that the claimants "are entitled to all equity which the facts of the case can possibly give. Their loss has been absolute and without contingency or construction."

He then indicates the basis for an award: "Equity, however, requires that the allowance of the claim should be made with a deduction. The underwriters and others should not be placed in a better position than if no piracy had occurred. The ship suffered heavily in the hurricane, and a large claim on the insurance offices would have been made. The vessel had four feet of water in the hold, and had been much strained; the masts, sails, and rigging had been nearly lost before the pirates came alongside. It is impossible now to say what the exact amount of repairs, salvage or general average would have been, or what portion of the cargo was damaged by the water in the hold or other leakage. After considering all the circumstances and taking testimony, I deem it fit to allow but forty per cent. of the claim on the policy covering the hull, and the same on the policies covering the cargo, with five years' interest at twelve per cent. to the underwriters in the United States.

"The rejection of this claim in 1854 (on grounds which, in my opinion, overlook the distinguishing features of it) has necessitated a careful review. I have endeavored to view the subject as if it was now presented for the first time. I have regarded it merely as a legal question, which requires a judicial solution according to the best of my ability."

This award was accepted in principle and amount by Mr. Ward, but I think that neither of the commissioners would have at any time regarded Mr. Marcy's despatch as superior, or contravening the act of Congress which authorized the board of claims. They would rather have explained it according to the act, that being the highest authority. I do not know when they first learned the purport of the despatch, but the charge brought against Mr. Ward of withholding it seems to be both unfounded and unnecessary.

He assisted them whenever it was requested, but as the Caldera was the only claim on which they differed, that assistance amounted merely to furnishing documents. There was no oversight or error on the part of any one in deciding the claims such as these letters describe, and particularly this one. Mr. Ward regarded himself as appointed by the act merely to approve their finding when it was unanimous, or decide which was just when it differed, not at all authorized to reject or modify it, or make one of his own. I may perhaps be allowed to add, that I know how much he endeavored to act impartially; also, that the commissioners took all possible precautions in forming their decisions. I heard several Americans in China, claimants and non-claimants, and some, too, whose claims had been cut down, express their approval of the carefulness and diligence exhibited in investigating the claims and the fairness of the awards. There was no end to be gained by the examiners in withholding money which seemed to be justly due the claimants, for neither of them would be benefited, and Mr. Ward, especially, could have no object in withholding his instructions.

There were several claimants whose cases were rejected entirely, as not coming within the letter of the act, because they were not American citizens, or for other reasons, to whom this rejection was a great hardship. They were all included in the first schedule made out by Mr. Reed, and their losses were as actual as those of the insurers of the Caldera, and perhaps more serious to them. Some of those rejected claims were those of native employés, who stood by their masters in circumstances of great danger, and confided their property to them on the assurance of its safety, only to see it consumed without remedy, while, too, a number of their countrymen in English employ, and sufferers in like manner, have been compensated. All these claims were (according to Mr. G.) considered alike valid by Mr. Reed; and if the commissioners had allowed them as they were claimed, the pro rata sum which the Caldera's claimants would have been entitled to by this distribution was only $16,655. Moreover, Mr. Marcy's despatch said nothing about interest, but the five years' interest at twelve per cent. paid on the award made the payment altogether nearly two-thirds of the claim.

The point of the case in which Mr. Grinnell's opinion seems to be that the despatch was to be considered absolute in regard to this claim, irrespective of all investigation as to its merits by the commissioners, and that as the Chinese government gave a sum of money to the United States government through Mr. Reed, after accepting the schedule of claims, all of it was to be divided among the claimants, more or less, but in the Caldera's case apparently not pro rata.

I have endeavored to show his errors as to facts, and that the case was fully shown in the evidence and argument before the board, that the claimants had ample time granted them to prepare and present their pleading, and that neither oversight nor injustice was done them in the premises. There is, therefore, not a sufficient ground to be found for reopening the case, nor for paying the additional sum now asked.

I am, sir, your obedient servant,

S. WELLS WILLIAMS.

Hon. ANSON BURLINGAME, *&c., &c., &c.*

Mr. Burlingame to Mr. Seward.

No. 94.] LEGATION OF THE UNITED STATES,
Peking, November 9, 1864.

SIR: I have the honor to send two decrees made by me, and approved by the consuls, in pursuance of the act of Congress approved June 22, 1860.

The *first* was rendered necessary by the irregularities of lawless men in connexion with the Chinese rebellion; the *second* by the act of Congress aforesaid.

It will be observed that the *second* decree is largely taken from forms made by the United States consul general at Constantinople, which have already been submitted by you to Congress. With our minister, the Hon. E. Joy Morris, I wish to bear witness to the ability of Mr. Godard in this respect, and to beg that the credit ascribed to these rules may be transferred to him. I wish also to express my thanks to George F. Seward, esq., consul general at Shanghai,

for many valuable practical suggestions. I am chiefly indebted to him for the fee bill. He came to Peking at my request to consult in relation to these decrees.

I have carefully compared these rules with those "framed for the supreme consular court, and other consular courts, in the dominions of the Sublime Ottoman Porte, under the order of her Majesty in council of the 27th day of August, 1860, by the judge of her Majesty's supreme consular court, and approved by one of her Majesty's principal secretaries of state;" and while I find them covering the same ground, I think those of Mr. Godard are less elaborate and more practical. Their adoption, as far as possible, in the very language of Mr. Godard, is a great advantage. They need but to be adopted in Japan to secure a uniform system throughout the east. Whatever other rules may be approved or rejected, I am sure that No. 44, which I inserted, will remain. It is this: "No consul shall recognize the claim of any American citizen arising out of a violation of the provisions of the act of Congress, approved February 17, 1862, relating to the 'coolie trade,' so called, nor any claim which involves the holding any person in slavery." I send also the circular of Mr. Seward, (marked A.) I also enclose the decrees as printed.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

SHANGHAI, *November* 1, 1864.

I have been directed by his excellency the honorable Anson Burlingame, United States minister plenipotentiary and envoy extraordinary to China, to publish the following decrees of 22d and 23d April last. Under the provisions of the act of Congress they become of binding force and effect from this date. Certified copies of the decrees have gone forward for simultaneous publication at the several ports.

GEO. F. SEWARD, *Consul General.*

Regulations for the consular courts of the United States of America in China.

In pursuance of section 5 of the act of Congress, approved June 22, 1860, entitled "An act to carry into effect certain provisions in the treaties between the United States, China, Japan, Siam, Persia, and other countries, giving certain judicial powers to ministers and consuls, or other functionaries of the United States in those countries, or for other purposes," I, Anson Burlingame, minister plenipotentiary and envoy extraordinary of the United States to the empire of China, do hereby decree the following rules and regulations, which shall have the force of law in the consular courts of China:

1. Every citizen of the United States residing within the limits of the ports open to foreign trade in the dominions of the Emperor of China is required to be enrolled in the consular register, and shall apply in person at the consulate within thirty days after the publication of this decree. Every American citizen who may arrive within the limits of the port, save and except any one who may be borne on the muster-roll of an American vessel, shall apply within ten days at the consulate to be enrolled. Any American citizen neglecting to be so enrolled will not be entitled to claim the protection or intervention of the authorities, unless he can furnish a valid reason for not so doing.

2. In all cases where an applicant to be enrolled cannot furnish a passport or other legal proof of his citizenship, he shall make oath that he is a citizen of the United States; and if the consul deem desirable, be required to bring such further evidence as he shall consider satisfactory.

ANSON BURLINGAME.

LEGATION OF THE UNITED STATES,
Peking, April 22, 1864.

Assented to:
PEKING, *April* 22, 1864. GEO. F. SEWARD, *Consul General.*

Assented to:
CANTON *July*, 12, 1864. OLIVER H. PERRY, *U. S. Consul.*

Assented to:
SWATOW, *September* 3, 1864. J. C. A. WINGATE, *U. S. Consul.*

Assented to;
AMOY, *August* 30, 1864. OLIVER B. BRADFORD, *U. S. Vice-consul,*

Assented to:
FOO-CHOW-FOO, 1864. A. L. CLARKE, *U. S. Vice-consul.*

Assented to:
NINGPO, *June* 20, 1864. EDWARD C. LORD, *U. S. Vice-consul.*

Assented to:
HANKOW, *June* 11, 1864. WM. BRECK, *U. S. Consul.*

Assented to:
KINKIANG, *June* 13, 1864. H. G. BRIDGES, *U. S. Vice-consul.*

Assented to:
CHINKIANG, *June* 2, 1864. G. H. COLTON SALTER, *Acting U. S. Consul.*

Assented to:
TIENTSIN, *April* 27, 1864. S. W. POMEROY, JR., *U. S. Vice-consul.*

Regulations for the consular courts of the United States of America in China.

In pursuance of section 5 of the act of Congress, approved June 22, 1860, entitled "An act to carry into effect certain provisions in the treaties between the United States, China, Japan, Siam, Persia, and other countries, giving certain judicial powers to ministers and consuls, or other functionaries of the United States in those countries, or for other purposes," I, Anson Burlingame, minister plenipotentiary and envoy extraordinary of the United States to the empire of China, do hereby decree the following rules and regulations for the guidance of the consular courts in China:

I.—ORDINARY CIVIL PROCEEDINGS.

1. *How commenced.*—Civil proceedings between American citizens must commence by written petition verified by oath before the consul.

2. *Three classes of action.*—Ordinary personal civil actions are of three classes, viz: contract, comprising all cases of contract or debt; wrong, when damages are claimed for a wrong; replevin, when possession of a specified article is claimed.

3. *Demand necessary in contract and replevin.*—In contract, the petition must aver that payment, or a performance of the conditions of the contract has been demanded and withheld; and, in replevin, that the articles to be replevied have been demanded.

4. *Petitioner must deposit money.*—The petitioner shall be required to deposit a reasonable sum to defray the probable expenses of court and defendant's costs; subsequent deposits may be required, if found necessary.

5. *Notice to defendant.*—Upon deposit of the money, the consul shall order notice on the petition, in writing, directing defendant to appear before the court at a given day and hour to file his written answer on oath.

6. *Service.*—Notice must be served on each defendant at least five days before return day, by delivery of an attested copy of the petition and order, and of any accompanying account or paper.

7. Personal service should always be required when practicable.

8. *Default.*—On proof of due notice, judgment by default shall be procured against any defendant failing to appear and file his answer as required; but the default may be taken off for good cause within one day after, exclusive of Sunday.

9. *Damages.*—But in actions of wrong, and all others where the damages are in their nature unliquidated and indefinite, so that they cannot be calculated with precision from the statement of the petition, the amount of the judgment shall be ascertained by evidence, notwithstanding the default.

10. *Answer.*—If defendant appears and answers, the consul, having both parties before him, shall, before proceeding further, encourage a settlement by mutual agreement, or by submission of the case to referees agreed on by the parties, a majority of whom shall decide it.

11. *Amendments.*—Parties should, at the trial, be confined as closely as may be to the averments and denials of the statement and answer, which shall not be altered after filing except by leave granted in open court.

12. *American witnesses compelled to attend.*—On application of either party and advance of the fees, the counsel shall compel the attendance of any witness within his jurisdiction before himself, referees, or commissioners.

13. *Parties are witnesses.*—Each party is entitled and may be required to testify.

14. *Decrees to be obeyed.*—Judgment may be given summarily against either party failing to obey any order or decree of the consul.

15. *Attachment and arrest.*—For sufficient cause, and on sufficient security, the consul, on filing a petition, may grant a process of attachment of any defendant's property to a sufficient amount, or of arrest of any defendant not a married woman, nor in the service of the United States under commission from the President.

16. *Dissolution of attachment.*—Defendant may at any time have the attachment dissolved by depositing such sum, or giving such security, as the consul may require.

17. *Sale of perishable property.*—Perishable property, or such as is liable to serious depreciation under attachment, may, on petition of either party, be sold on the consul's order, and its proceeds deposited in the consulate.

18. *Release of debtor.*—Any defendant arrested or imprisoned on civil petition shall be released on tender of a sufficient bond, deposit of a sufficient sum, or assignment of sufficient property.

19. *Debtor's disclosure.*—Any person under civil arrest or imprisonment may have his creditor cited before the consul to hear a disclosure of the prisoner's affairs under oath, and to question thereon; and if the consul shall be satisfied of its truth and thoroughness, and of the honesty of the debtor's conduct towards the creditor, he shall forever discharge him from arrest upon that debt, provided that the prisoner shall offer to transfer and secure to his creditor the property disclosed, or sufficient to pay the debt, at the consul's valuation.

20. *Debtor's board.*—The creditor must advance to the jailer his fees and payment for his prisoner's board until the ensuing Monday, and afterwards weekly, or the debtor will be discharged from imprisonment and future arrest.

21. *Execution.*—On the second day after judgment (exclusive of Sunday) execution may issue, enforcing the same with interest at 12 per cent. a year, against the property and person of the debtor, returnable in thirty days, and renewable.

22. *Seizure and sale of property.*—Sufficient property to satisfy the execution and all expenses may be seized and sold at public auction by the officer after due notice.

23. Property attached on petition, and not advertised for sale within ten days after final judgment, shall be returned to the defendant.

24. *Final judgment for defendant.*—When final judgment is given in favor of defendant, his person and property are at once freed from imprisonment or attachment, and all security given by him discharged. And the consul may, at his discretion, award him compensation for any damage necessarily and directly sustained by reason of such attachment, arrest, or imprisonment.

25. *Offset.*—In actions of contract defendant may offset petitioner's claim by any contract claim, filing his own claim, under oath, with his answer. Petitioner shall be notified to file his answer seasonably, on oath, and the two claims shall then be tried together, and but one judgment given for the difference, if any be proved in favor of either party, otherwise for defendant's costs.

26. *Costs.*—Except, as hereinafter provided, the party finally prevailing recovers costs, to be taxed by him and revised by the consul.

27. *Trustee process.*—In contract the consul may order defendant's property or credits in a third party's hands to be attached on the petition by serving him with due notice as trustee, provided petitioner secures trustee his costs by adequate special deposit.

28. *Trustee's costs.*—If adjudged trustee, the third party may retain his costs from the amount for which he is adjudged trustee if sufficient; otherwise the balance of trustee's costs must be paid out of petitioner's special deposit, as must the whole of his costs if not adjudged trustee.

29. *Demand on trustee upon execution.*—The amount for which a trustee is charged must be inserted in the execution, and demanded of him by the officer within ten days after judgment, or all claim on him ceases. Process against property or person of the trustee may issue ten days after demand.

30. *Debt must be at least ten dollars.*—If petitioner recovers judgment for less than ten dollars, or if less than ten dollars of defendant's property or credits is proved in the third party's hands, in either case the third party must be discharged with costs against petitioner.

31. *Replevin.*—Before granting a writ of replevin the consul shall require petitioner to file a sufficient bond, with two responsible sureties, for double the value of the property to be replevied, one an American citizen, or petitioner may deposit the required amount.

II.—TENDER, ETC.

32. Before a creditor files his petition in contract, his debtor may make an absolute and unconditional offer of the amount he considers due by tendering the money in the sight of the creditor or his legal representative.

33. *Deposit.*—If not accepted, the debtor shall, at his own risk and paying the charges, deposit the money with the consul, who shall receipt to him and notify the creditor.

34. *Demand or withdrawal.*—It shall be paid to the creditor at any time, if demanded, unless previously withdrawn by the depositor.

35. *Costs.*—If the depositor does not withdraw his deposit, and, upon trial, is not adjudged to have owed petitioner at the time of the tender more than its amount, he shall recover all his costs.

36. *Offer to be defaulted.*—At any stage of a suit in contract or wrong, defendant may file an offer to be defaulted for a specific sum and the costs up to that time; and if petitioner chooses to proceed to trial, and does not recover more than the sum offered and interest, he shall pay all defendant's costs arising after the offer, execution issuing for the balance only.

III.—REFERENCE.

37. When parties agree to a reference, they shall immediately file a rule, and the case be marked "referred;" a commission shall then issue to the referees, with a copy of all papers filed in the case.

38. *Award and acceptance.*—The referees shall report their award to the consul, who shall accept the same and give judgment and issue execution thereon, unless satisfied of fraud, perjury, corruption, or gross error in the proceedings.

39. *When transmitted to minister.*—In cases involving more than five hundred dollars, if his acceptance is withheld, the consul shall at once transmit the whole case, with a brief statement of his reasons, and the evidence therefor, to the minister, who shall give his judgment on the award, or grant a new trial before the consul.

IV.—APPEAL.

40. *Must be within one day.*—Appeals must be claimed before three o'clock in the afternoon of the day after judgment, (excluding Sunday;) but in civil cases, only upon sufficient security.

41. *To be perfected within five days.*—Within five days after judgment the appellant must set forth his reasons by petition filed with the consul, which shall be transmitted as soon as may be to the minister, with a copy of docket entries and of all papers in the case.

V.—NEW TRIAL.

42. *Because of perjury.*—On proof of the perjury of any important witness of the prevailing party upon a material point affecting the decision of a suit, the consul who tried it may, within a year after final judgment, grant a new trial on such terms as he may deem just.

43. *Generally.*—Within one year after final judgment in any suit not involving more than five hundred dollars, the consul who tried it, or his successor, may, upon sufficient security, grant a new trial where justice manifestly requires it; if exceeding five hundred dollars, with the concurrence of the minister.

VI.—HABEAS CORPUS.

44. *Slaves not to be held.*—No consul shall recognize the claim of any American citizen arising out of a violation of the provisions of the act of Congress approved February 19, 1862, relating to the "coolie trade," so called, nor any claim which involves the holding any person in slavery.

45. *Habeas corpus.*—Upon application of any person in writing and under oath, representing that he or any other person is enslaved, unlawfully imprisoned, or deprived of his liberty by any American citizen within the jurisdiction of a consul, such consul may issue his writ of *habeas corpus*, directing such citizen to bring said person, if in his custody or under his control, before him, and the question shall be determined summarily, subject to appeal.

VII.—DIVORCE.

46. Libels for divorce must be signed and sworn to before the consul, and on the trial each party may testify.

47. *Attachment.*—The consul, for good cause, may order the attachment of libeller's property to such an amount and on such terms as he may think proper.

48. *Husband to advance money.*—He may also, at his discretion, order the husband to advance his wife, or pay into court, a reasonable sum to enable her to prosecute or defend the libel, with a reasonable monthly allowance for her support pending the proceedings.

49. *Alimony.*—Alimony may be awarded or denied the wife on her divorce, at his discretion

50. Custody of the minor children may be decreed to such party as justice and the children's good may require.

51. *Release of both.*—Divorce releases both parties, and they shall not be re-married to each other.

52. *Costs.*—Costs are at the discretion of the consul.

VIII.—MARRIAGE.

53. *Record and return.*—Each consul shall record all marriages solemnized by him or in his official presence.

IX.—BIRTHS AND DEATHS.

54. The birth and death of every American citizen within the limits of his jurisdiction shall likewise be recorded.

X.—BANKRUPTCY, PARTNERSHIP, PROBATE, ETC.

55. Until promulgation of further regulations, consuls will continue to exercise their former lawful jurisdiction and authority in bankruptcy, partnerships, probate of wills, administration of estates and other matters of equity, admiralty, ecclesiastical and common law, not specially provided for in previous decrees, according to such reasonable rules not repugnant to the Constitution, treaties, and laws of the United States, as they may find necessary or convenient to adopt.

XI.—SEAMEN.

56. In proceedings and prosecutions instituted by or against American seamen, the consul may, at his discretion, suspend any of these rules in favor of the seamen when, in his opinion, justice, humanity and public policy require it.

XII.—CRIMINAL PROCEEDINGS.

57. *How commenced.*—Complaints and informations against American citizens should always be signed and sworn to before the consul when the complainant or informant is at or near the consul's port.

58. *How authenticated.*—All complaints and informations not so signed and sworn to by a citizen of the United States, and all complaints and informations in capital cases, must be authenticated by the consul's certificate of his knowledge or belief of the substantial truth of enough of the complaint or information to justify the arrest of the party charged.

59. *Copy of accusation.*—No citizen shall be arraigned for trial until the offence charged is distinctly made known to him by the consul in respondent's own language. In cases of magnitude, and in all cases when demanded, an attested copy (or translation) of the complaint, information, or statement, authenticated by the consul, shall be furnished to him in his own language, as soon as may be after his arrest.

60. *Presence of accuser.*—The personal presence of the accuser is indispensable throughout the trial.

61. *May testify.*—He shall be informed of his right to testify and cautioned that if he chooses to offer himself as a witness, he must answer all questions that may be propounded by the consul or his order, like any other witness.

62. *American witnesses compelled to attend.*—The government and the accused are equally entitled to compulsory process for witnesses within their jurisdiction; and if the consul believes the accused to be unable to advance the fees, his necessary witnesses shall be summoned at the expense of the United States.

63. *Fine and cost.*—When punishment is by fine, costs may be included or remitted at the consul's discretion. An alternative sentence of thirty days' imprisonment shall take effect on non-payment of any part of the fine or costs adjudged in any criminal proceeding.

64. Any prisoner, before conviction, may be admitted to bail by the consul who tries him, except in capital cases.

65. *Capital cases.*—No prisoner charged with a capital offence shall be admitted to bail where the proof is evident, or the presumption of his guilt great.

66. *After conviction.*—After conviction and appeal the prisoner may be admitted to bail only by the minister.

67. *American bail.*—Any citizen of the United States offering himself as bail shall sign and swear, before the consul, to a schedule of unincumbered property of a value at least double the amount of the required bail.

68 *Foreign bail.*—Any other proposed bail or security shall sign and swear before the consul to a similar schedule of unincumbered personal property within the local jurisdiction of the consulate, or he may be required to deposit the amount in money or valuables with the consul.

69. *Two sureties.*—Unless such sufficient citizen becomes bail, or such deposit be made, at least two sureties shall be required.

70. *Surrender.*—Any American bail may have leave of the consul to surrender his principal on payment of all costs and expenses.

71. *Prosecutor may be required to give security.*—Any complainant, informant, or prosecutor may be required to give security for all costs of the prosecution, including those of the accused; and every complainant, &c., not a citizen of the United States, shall be so required, unless, in the consul's opinion, justice will be better promoted otherwise; and when such security is refused the prosecution shall abate.

72. *Honorable acquittal.*—When the innocence of the accused, both in law and intention, is manifest, the consul shall add to the usual judgment of acquittal the word "honorably."

73. *Costs.*—In such case judgment may be given and execution issued summarily against any informer, complainant, or prosecutor for the whole costs of the trial, including those of the accused, or for any part of either, or both, if the proceeding appears to have been groundless and vexatious, originating in corrupt, malicious, or vindictive motives.

74. *Minor offences.*—Consuls will ordinarily encourage the settlement of all prosecutions not of a heinous character by the parties aggrieved or concerned.

XIII.—OATHS.

75. Oaths shall be administered in some language that the witness understands.

76. *Not Christians.*—A witness not a Christian shall be sworn according to his religious belief.

77. *Atheist.*—An avowed atheist shall not be sworn, but may affirm, under the pains and penalties of perjury; the credibility of his evidence being for the consideration of the consul.

78. *Affirmation.*—A Christian, conscientiously scrupulous of an oath, may affirm, under the pains and penalties of perjury.

XIV.—DOCKETS, RECORDS, ETC.

79. *Civil docket.*—Each consul shall keep a regular docket or calendar of all civil actions and proceedings, entering each case separately, numbering consecutively to the end of his term of office, with the date of filing, the names of the parties in full, their nationality, the nature of the proceeding, the sum or thing claimed, with minutes and dates of all orders, decrees, continuances, appeals, and proceedings, until final judgment.

80. *Criminal.*—He shall keep another regular docket for all criminal cases, with sufficient similar memoranda.

81. *Filing papers.*—All original papers shall be filed at once and never removed; no person but an officer of the consulate or minister should be allowed access to them. All papers in a case must be kept together in one enclosure, and numbered as in the docket, with the parties' names, the nature of the proceeding, the year of filing the petition, and of final judgment conspicuously marked on the enclosure, and each year's cases kept by themselves in their order.

XV.—LIMITATION OF ACTIONS AND PROSECUTIONS.

82. *Criminal.*—Heinous offences not capital must be prosecuted within six years; minor offences within one.

83. *Civil.*—Civil actions, based on written promise, contract, or instrument, must be commenced within six years after the cause of action accrues; others within two.

84. *Absence; fraudulent concealment.*—In prosecutions for heinous offences not capital, and in civil cases involving more than $500, any absence of respondent or defendant for more than three months at a time from China shall be added to the limitation; and in civil cases involving more than $100, the period during which the cause of action may be fraudulently concealed by defendant shall likewise be added.

XVI.—GENERAL PROVISIONS.

85. *Trials public.*—All trials and proceedings in the United States consular courts in China shall be open and public.

86. *Interpreting and translating.*—Papers and testimony in a foreign language shall be translated into English by a sworn interpreter appointed by the consul; in civil cases to be paid by petitioner. Oaths and questions shall be translated by the interpreter from the English for any witness who does not understand English.

87. *Testimony.*—Parties may be required to file their petitions, answers, complaints, informations, and all other papers addressed to the court in English; or they may be translated by the interpreter at the consul's discretion. All testimony must be taken in writing in open court by the consul or his order, and signed by the witness, after being read over to him for his approval and correction, and it shall form part of the papers in the case.

88. *Adjournment.*—The consul may adjourn his court from time to time and place to place within his jurisdiction, always commencing proceedings and giving judgment at the consulate.

89. *Officer.*—All processes not served by the consul personally must be executed by an officer of the consulate, who shall sign his return, specifying the time and mode of service, and annexing an account of his fees.

90. *Copies on appeal.*—On appeal, copies of all the papers must be paid for in advance by the appellant, except in criminal cases where respondent is unable to pay.

91. *Copies.*—Any person interested is entitled to a copy of any paper on file, on prepayment of the fee.

92. Reasonable clearness, precision, and certainty should be required in the papers, and substantial justice and all practicable despatch is expected in the decisions.

93. *Definition of consul.*—The word "consul" is intended to include the consul general, and any vice-consul or deputy consul actually exercising the consular power at any consulate, unless the sense requires a more limited construction.

94. *Associates.*—Each associate in a consular trial shall, before entering on his duties, be sworn by the consul. Before taking the oath he may be challenged by either party, and for sufficient cause excused and another drawn.

95. *Contempt.*—Consuls will always preserve order in court, punishing summarily any contempt committed in their presence, or any refusal to obey their lawful summons or order, by imprisonment not exceeding twenty-four hours, or by fine not exceeding fifty dollars and costs.

96. *Attorney.*—Every party to a civil or criminal proceeding may be heard in person, or by attorney of his choice, or by both; but the presence of counsel shall be under the exclusive control and discretion of the consul.

97. *Accounts.*—The accounts of the consular courts shall be kept in United States currency; and every order of deposit, decree of costs, taxation of fees, and, generally, every paper issuing originally from the court, shall be expressed in dollars and cents, and satisfied in United States metallic currency, or its equivalent.

XVII.—FEES.

98. In consular court—

In all cases where the amount in question is not more than $500	$5 00
In all cases where it is over $500	15 00

In all cases where no specific damages are sought, the fee shall be $5 for minor, and $15 for greater cases.

99. Clerk's fees—

For issuing all writs, warrants, attachments, or other compulsory process	1 50
For docketing every suit commenced	1 00
For executions	1 00
For summonses and subpœnas	50
For all records at the rate of, for each hundred words	20
For drawing every notice, paper, order, or process, not otherwise provided for	2 00
And if it exceed 200 words, for every additional hundred words	1 00
For every seal to process issued	1 00
For filing each paper upon the return of the marshal, and all other papers filed in court.	10

100. Marshal's fees—

For apprehending a deserter and delivering him on board the vessel deserted from, to be paid by the vessel before leaving port	5 00
For searching for the same, and if not found, to be certified by the consul, and on his order to be paid by said ship	2 00
For serving any writ, warrant, attachment, or other compulsory process, each person.	2 00
For serving summons	1 00
For returning all writs, attachments, warrants, and summons, each	50
For each bail-bond	1 00
For every commitment or discharge of prisoner	2 00
On subpœnas for each witness summoned	50
For returning subpœna	25
For each day's attendance upon court	3 00
For levying execution	1 50
For advertising property for sale	2 00
For releasing property under execution, by order of plaintiff	3 00
For selling property under execution when the amount collected does not exceed $1,000	5 per cent.
If over $1,000, and not exceeding $5,000	3 per cent.
If over $5,000	2 per cent.
For making collections under $200, in cases where no adjudication has taken place	5 per cent.
If the amount exceed $200	2½ "
For travelling fees in serving all processes, each mile	$0 15
For serving every notice not hereinafter provided for, in addition to the usual travelling fees	0 50

101. Interpreter's fees—	
For each day's attendance upon court	3 00
For making translations	2 00
If more than 200 words, for each additional hundred	1 00
102. Witnesses' fees—	
For every day's attendance at court	1 50
For each mile travelled in going to and returning from court	0 15
103. Crier's fees.—	
On trial of every suit	1 00
104. Citizen associate's fees—	
For each day's attendance	3 00
105. Costs for prevailing party—	
All necessary court fees paid out.	

XVIII.—PROVISO.

106. All decrees heretofore issued by authority of the commissioners and ministers of the United States to China, which are inconsistent in whole or in part with the provisions of this decree, are hereby annulled, and those portions are henceforth void and of no effect; and the promulgation of these rules abrogates no authority hitherto lawfully exercised by consuls in China not inconsistent herewith.

ANSON BURLINGAME.

LEGATION OF THE UNITED STATES TO CHINA,
Peking, April 23, 1864.

Assented to:
PEKING, *April* 23, 1864. GEO. F. SEWARD, *Consul General.*

Assented to:
CANTON, *July* 12, 1864. OLIVER H. PERRY, *U. S. Consul.*

Assented to:
SWATOW, *September* 3, 1864. J. C. A. WINGATE, *U. S. Consul.*

Assented to:
AMOY, *August* 30, 1864. OLIVER B. BRADFORD, *U. S. Vice-consul.*

Assented to:
FOO-CHOW-FOO, 1864. A. L. CLARKE, *U. S. Vice-consul.*

Assented to:
NINGPO, *June* 20, 1864. EDWARD C. LORD, *U. S. Vice-consul.*

Assented to:
HANKOW, *June* 11, 1864. WM. BRECK, *U. S. Consul.*

Assented to:
KIUKIANG, *June* 13, 1864. H. G. BRIDGES, *U. S. Vice-consul.*

Assented to:
TIENTSIN, *April* 27, 1864. S. W. POMEROY, JR., *U. S. Vice-consul.*

Assented to:
CHINKIANG, *June* 2, 1864. G. H. COLTON SALTER, *Acting U. S. Consul.*

[Circular No. 3.—A.]

CONSULATE GENERAL OF UNITED STATES,
Shanghae, October 25, 1864.

SIR: I have the honor to transmit to you herewith a certified copy of each of the decrees of April last, which have already received your approval. They will be made public at this port on the day named in the notification, and it is expected that they will reach you in time for circulation on the same date.

In reply to inquiries which have been made, I have to state that no new forms of processes have as yet been prescribed. The experience of the various consular officers will readily effect the changes which may become necessary under the new regulations.

The fee headed "in consular court" is, together with all fines imposed, to be brought to the credit of the United States in the account required by section 17th of the act of Congress. The clerks' and marshals' fees may, as heretofore, be passed to those officers.

The judicial report, form 132, should be regularly transmitted, as required in section 312,

Consul's Manual. In the absence of a marshal it may be prepared by the clerk of the court, or by the consul himself. I should recommend that the "court account" should also be transmitted quarterly.

It is expected that the decree of registry will be very useful in preventing to an extent the abuse of the national name, which has been so common in China. The various officers will, I think, find it of much advantage to insist strenuously upon the registry of all persons under their jurisdiction.

In cases when an offender, who is not registered, and who has no satisfactory proof in support of his claim to citizenship, is arrested and handed to you for punishment, you will perhaps find it desirable to deliver him to the Chinese authorities. In such case the condition may be made, that the native officer shall sit at the trial with two consular officers as assessors, who shall have power to veto his decision. If, however, you should prefer to proceed yourself with the trial, it has been held at Peking that the offender, having submitted himself to the jurisdiction of the court, must abide by its decision.

Your obedient servant,

GEORGE F. SEWARD,
United States Consul General.

_____ _____,
United States Consul.

Mr. Burlingame to Mr. Seward.

No. 95.] LEGATION OF THE UNITED STATES,
Peking, November 10, 1864.

SIR: I have the honor to send herewith a letter addressed to me by Thomas Walsh, esq., one of our leading and most intelligent merchants in the east.

The letter is in response to one from me requesting accurate statistics in relation to our trade with California. I made it a point with him to secure statements rather under than overdrawn, so that no misleading facts should go from me to my countrymen.

You will be pleased to find how carefully he has met my request, and will prize his letter accordingly.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure.]

Mr. Walsh to Mr. Burlingame.

NAGASAKI, *September* 13, 1864.

MY DEAR MR. BURLINGAME: Your very friendly letter of 1st June, in reply to my note of May 21, was only a fortnight in coming to me. I have delayed thanking you for it in order to collect, if I could, some of the statistics you ask for as to trade between China and California. At length I have gathered some figures. They are a little old, being those of the exports of 1861 and 1862, one year, but I cannot procure any others at present, and they must answer. As the trade has latterly been pretty steady, I think they may safely be taken as the average figures of what the trade is at present, and would be for a few years longer. No doubt steam communication would develop new business and increase the old, as it always does; and the experience of steamers on the Chinese coasts and rivers shows that the Chinese are quite like other people in this respect.

The figures are as follows:

Exports from China, Japan, and Manila to San Francisco, November 4, 1861, *to November* 4, 1862.

From Japan:

	Freight.
Teas, about 500,000 pounds, 900 tons measurement, at $10	$9,000

From China.—Chinese produce:

Chinese passengers, 6,500, at $30	19,500
Rice, 35,000,000 pounds, 263,000 piculs, at 60 cents	157,800
Oil, 160,000 gallons, 10,500 piculs, at $1	10,500
Peas, 2,800 bushels, 1,400 piculs, at 60 cents	840
Pepper, 53,000 pounds, 400 piculs, at $2	800
Prepared opium, 36,000 pounds, 100 tons, at $10	1,000
Teas, about 1,200,000 pounds, 2,000 tons, at $10	20,000
Matting, 3,100 rolls, 500 tons, at $8	4,000
Fire-crackers, 5,100 boxes, 130 tons, at $10	1,300
Empty bags, 3,700 bales, 100 pounds each, 900 tons, at $8	7,200
Sugar, 8,300,000 pounds, 62,500 piculs, at 60 cents	37,500

Manila produce:

Hemp, 5,600 piculs, 700 tons, at $8	5,600
Coffee, 227,000 pounds, 1,700 piculs, at 60 cents	1,020
Cigars, 321,000, 65 tons, at $10	650
Sundries of all sorts, say 2,000 tons, at $10	20,000

From Manila direct:

Sugar, 5,808,000 pounds, 43,500 piculs, at 60 cents	26,100
Hemp, 6,000 piculs, 750 tons, at $8	6,000
Coffee, 737,500 pounds, 5,500 piculs, at 60 cents	3,300
Cordage, &c., 300 tons, at $10	3,000
Total freights	335,110

This was divided among forty-six vessels of 39,500 register tons, or, say, 50,000 tons measurement capacity, giving an average freight of, per ton, $6 70.

A line of four steamers ought to be able to keep up monthly departures from Hong Kong, touching at Kanagawa going over and at Sandwich islands coming back. Each steamer would thus make three voyages per annum, each voyage occupying four months; of this time two months (if the steamers were good and fast) would be spent at sea and two months in the different ports.

The expenses of a steamer which would carry 1,000 tons of cargo and go eight knots in ordinary weather would be, at least, as follows:

Coal for sixty days, 1,200 tons, at average cost of $12	$14,400
Wages, &c., for four months, at $3,000 per month	12,000
Wear and tear, one per cent. per month on value of $175,000	7,000
Insurance, one per cent. per month on value of $175,000	7,000
Interest, one-half per cent. per month on value of $175,000	3,500
Total expenses for four months	43,900

It is evident, therefore, that each steamer would have to make out of freight and passengers about $44,000 per voyage to escape loss. As there are at present but few passengers and but little freight from California to China, at least $30,000 of this ought to be made on the voyage from China to California.

I do not see how this can be done under existing circumstances. The bulk of the merchandise shipped to California cannot bear high freights. It would, therefore, be imprudent to reckon on over $15 per ton for the steamer's capacity at any time—say a steamer of 1,000 tons capacity carries 800 tons,

At $15, would be		$12,000
And 250 Chinese passengers, at $40		10,000
Passage money of ten cabin passengers, at $300	$3,000	
Less one-third for cabin stores, servants, &c	1,000	
		2,000
Total earnings		24,000

Leaving a deficit on each voyage of, say, $6,000. A moderate subvention from government would cover this; but it must be noted that I have reckoned the coal at a low rate, and allowed full rates for goods and passengers.

I do not believe that silk or passengers would go from China to Europe by way of California at present, even if there were good steamers across the Pacific, for it will be impossible for any steamer lines touching at California to land silk in Europe as quickly as the steamers to

Suez do it. For some years, therefore, the Pacific steamers would have to depend almost wholly on Pacific trade, and this trade does not develop very rapidly.

But when the Pacific railroad shall have been finished, the whole subject will acquire a new character. Then, if we have such laws as will encourage the trade, not only silks and passengers, but teas even, could advantageously be sent, especially from Shanghai and Japan, *via* America, and have no doubt this will be done to an extent sufficient to employ a line of semi-monthly or even of weekly steamers from Hong Kong, *via* Shanghai and Kanagawa, to San Francisco.

Meanwhile, if our government could spare three or four hundred thousand dollars a year to set the steamers on foot, the money would be well spent, for it would probably result in the establishment of a current of trade across the Pacific which, by the time the railroad was ready, might be strong enough to flow without such aid, leaving government free to devote its whole concern to the railroad itself, which will doubtless at first require a good deal of assistance.

As a patriot and a tax-payer, and entirely disregarding any interest I might retain in the east, I would applaud any reasonable expenditure of public money in the effort thus to make our country the intermediary between the far east and Europe. For, sooner or later, such an expenditure would yield a ten-fold harvest. Ten-fold? Yes, ten thousand times ten-fold. For we are not Egyptians who will be content to carry such a commerce through our ports and across our territory and draw from it merely carrier's wages; but we would manage it so that the whole world would soon become tributary to us for doing it, and we would do it so that they would be glad to be thus tributary.

As to the kind of steamers for the Pacific route, I should say, after some experience and considerable reflection on the matter, that they ought to be wooden vessels with iron frames, propelled by screws; in size, about 1,500 tons, which would leave about 1,000 tons for cargo; to steam eight knots in average weather; with a hurricane or upper deck, so that the passengers shall be chiefly on the main deck, and the best vessels of this sort which can be built. It ought not to be attempted to make quasi men-of-war of them. That sort of steamers have failed as often as they have been tried. Above all, the company which receives a subsidy from the government should be so organized that there will be no danger of their dropping the experiment before it has been fairly tried.

I have delivered your message to Pumpelly, who is living with us, and he thanks you for it.

If circumstances allow it, we (he and I) propose to obey your "command" so far as to call at Pekin next month on our way to Europe *via* Liberia. We are not yet quite sure of being able to go, but we have made all ready and are very desirous to go that way. One of the chief pleasures I reckon on *en route* is to see you again. I have much to tell you about Japan, which I cannot put in this already too long letter, and also much to discuss with you about our own dear country. I want to see you soon at home again, and engaged, as I know you would be, in overthrowing the wrong and sustaining the right. We are fast approaching the crisis of our republic's career, and if all good men do not rally together against corruption, personal ambition, and ignorance, our nation will be lost.

Hoping soon to see you, I remain, my dear sir, yours truly,

THOS. WALSH.

Mr. Seward to Mr. Burlingame.

No. 99.] DEPARTMENT OF STATE,
Washington, December 13, 1864.

SIR: I enclose a pamphlet containing a copy of the correspondence which has taken place between this department and the honorable Z. Chandler, the chairman of the Committee on Commerce in the Senate of the United States, in relation to proposed overland telegraph between Europe and America, by the way of Behring straits, projected by Perry McD. Collins, esquire. I enclose also a copy of an instruction addressed to Cassius M. Clay, esquire, our minister at St. Petersburg, on the 24th of September last, No. 85, and of his reply of the 14th ultimo, No. 62. I refer you to the act of Congress of the 1st of July last, entitled "An act to encourage and facilitate telegraphic communication between the eastern and western continents," and to the President's last annual message.

As it is considered desirable and important that a branch of the great line of telegraphic communication referred to in these papers should penetrate into the populous and wealthy empire to which you are accredited, you are expected to

co-operate with the Russian authorities, and those of other western powers favorably disposed toward the enterprise, in any effort which they may make towards that end

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ANSON BURLINGAME, Esq., &c., &c., &c.

Mr. Burlingame to Mr. Seward.

No. 100.] LEGATION OF THE UNITED STATES,
Peking, March 7, 1865.

SIR: I have the honor to send correspondence (marked from A to L) relating to foreign residence at Tangchau.

From this you will learn—

1st. How difficult it is to secure, in the first instance, our treaty rights against the prejudices of a powerful class in China.

2d. The importance of having capable agents, like Dr. McCartee, to arrange successfully disputes which might otherwise lead to serious complications.

You will observe in the correspondence that the point is made that Tangchau is, by the spirit of the treaty, to be included as a place of residence with Yentai, its dependent port, as in the conceded instances of Canton and Whampoa, Ningpo and Chenhai, Peintsin and Taku.

As to the remark in my letter (L) that I will suggest Dr. McCartee's name for another position, I have to say that I hope soon to show in person, or by letter, how the government may secure the valuable services of Dr. McCartee, himself consenting, without any additional legislation, in the position of assistant interpreter at Peking.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State, &c., &c., &c.

Schedule.

A. From A. Burlingame to D. B. McCartee, asking for documents and forwarding despatch, &c ..... Aug. 22, 1864.
B. From Prince Kung to A. Burlingame, complaining of Mr. Mills at Tangchaufee, in the matter of renting a house ..... Aug. 14, 1864.
C. From A. Burlingame to Prince Kung. Will send to United States consul and ascertain the facts ..... Aug. 20, 1864.
D. From D. B. McCartee to A. Burlingame. Reports on Mr. Mills's case, and enclosures ..... Sept. 9, 1864.
E. From C. R. Mills to D. B. McCartee. Statement of the circumstances and opposition experienced in renting the premises at Tangchau ..... Sept. 2, 1864.
F. From A. Burlingame to D. B. McCartee. Indicates his reasons for upholding the right to lease property there and encloses despatch to ..... Oct. 8, 1864.
G. From A. Burlingame to Prince Kung, showing that the opposition to Mr. Mills came from the gentry and not from the owner ..... Oct. 3, 1864.
H. From D. B. McCartee to A. Burlingame. Reports progress made in arbitrating Mr. Mills's case ..... Oct. 25, 1864.
I. From A. Burlingame to D. B. McCartee. Approves of his action and quotes similar cases of opposition to renting houses by foreigners ..... Nov. 16, 1864.
J From D. B. McCartee to A. Burlingame. Reports an amicable settlement of Mr. Mills's case by arbitration, with approval of Chinese local authorities at Tangchau ..... Nov. 21, 1864.
K. From D. B. McCartee to A. Burlingame. Resignation of consular functions ..... Dec. 31, 1864.
L. From A. Burlingame to D. B. McCartee. Acceptance of resignation ... Feb. 20, 1865.

[Enclosure A.]

Mr. Burlingame to Mr. McCartee.

LEGATION OF THE UNITED STATES,
Peking, August 22, 1864.

SIR: I have only recently learned from Mr. Seward that you have been appointed United States consul for the port of Tangchau and Chifu, and have accordingly informed the Chinese government of the same, in order that they may send the necessary instructions to the local authorities for your recognition. I beg to express my great satisfaction at your appointment, and your previous acquaintance with the duties of the consular office in China will render them easy

In this connexion I now enclose copies of a communication, lately received from the Foreign Office, concerning an accusation made by the district magistrate of Punglai of an injustice done by the Rev. Mr. Mills in renting and repairing a house at Tangchau, and of my reply to the same, asking for further time to enable me to ascertain the facts of the case. As this may prove to be a test case, I wish to have such documents as will enable me to prove to the government that he did not violate the treaty in his proceedings.

I request, too, that you will express my thanks to Mr. Morrison, her Britannic Majesty's consul, for his kind exertions in behalf of Mr. Mills.

I remain, sir, your obedient servant,

ANSON BURLINGAME.

D. BETHUNE MCCARTEE, Esq., M. D.,
United States Consul, Chifre.

[Enclosure B.]

Prince Kung to Mr. Burlingame.

AUGUST 14, 1864, (*Tunchu, 3d year, 7th moon, 13th day.*)

Prince Kung, chief secretary of state for foreign affairs, herewith sends a communication.

On the 12th instant I received a despatch from the governor of Shantung, enclosing a report from the district magistrate of Punglai at Tangchau, concerning the case of a widow named Hwang, neé Chang, as follows:

"Near the east gate stands a house and lot which a foreigner wished to rent or buy, but she had declined, and her husband's brother, Hwang Tsung-King, who had gone into Chihli province expecting to get an office, had left orders with her not to sell or rent the premises. The foreigner came again in May to talk about it, and was still more urgent for her to sell or lease it, but she declined to do either. What was her surprise, therefore, to see masons and carpenters coming to the spot on the 22d of July for the purpose of pulling down the building. He would not listen to her remonstrances, but declared that if she would neither sell nor lease it, he was still determined to pull it down and repair it as he pleased.

"The district magistrate was investigating the matter, when the intendant of Tangchau and Taican circuit sent him notice that Mr. Morrison, the British consul, had informed him that Mr. Mills, an American missionary who lived at Tangchau as a teacher of religion, had stated to him 'that having recently arrived there with others, for the purpose of teaching, they could get no residences, and had arranged to rent the oil shop of Hwang Tsung-King, outside of the eastern gate, which the owner was willing to lease; but Yuen Tingchin and others of the gentry had united in an envious spirit to spread false reports about the missionaries, and had forbidden the owner of the house to let it.'

"Thereupon the said district magistrate made very careful inquiry among the gentry, who assured him that they had never spread false reports, nor interfered in this matter. It also appeared that one Hwang Chau-hen, a nephew of the widow, and another man, a constable at the east gate, corroborated the statement concerning the foreigner coming to her house and demolishing the buildings on this lot. I have, therefore, to request inquiry may be made and the case judged."

On receiving the above I examined the 12th article of the American treaty, which reads thus: "Citizens of the United States, residing or sojourning at any of the ports open to foreign commerce, shall be permitted to rent houses or places of business, or hire sites on which they can themselves build houses or hospitals, churches, and cemeteries. The proprietors shall not demand an exorbitant price, and the citizens of the United States shall not unreasonably insist on particular spots, but each party shall conduct with justice and moderation." Now, in the present case, the missionary, Mr. Mills, wished to rent the widow Hwang's house, but she was unwilling to mortgage or sell it and the lot, as the evidence all proves, as it also does that the neighbors did not interfere. He, however, obstinately bent on renting and repairing the premises, turns round and alleges in his defence that she was willing to lease them, but that the gentry interfered to prevent it, as was stated in his untrue report to Mr. Morrison.

Such conduct clearly violates the provision in the treaty, that no one shall be forced to rent or have his premises encroached on; and further, Mr. Mills has oppressed a desolate widow, which is contrary to the excellent precepts of his religion. Again, the city of Tangchau is not an open port for trade, and if this missionary acts in such a violent manner, despising and ill-treating the people, that it is not improbable that they will resist, and serious trouble may grow out of it.

I therefore send this information to your excellency that you may presently require Mr. Mills immediately to reimburse the widow Hwang for the buildings he has demolished, and not allow him again to try to repair any more premises without their owner's permission, for this is very important. I shall also send instructions to the governor of Shantung to direct the district magistrate at Tangchau to prevent this attempt to rent, and when he has learned the amount of damage incurred by taking down the buildings, to demand it of Mr. Mills and pay it to the widow.

His Excellency ANSON BURLINGAME, *United States Minister.*

[Enclosure C.]

Mr. Burlingame to Prince Kung.

LEGATION OF THE UNITED STATES,
Peking, August 20, 1864.

SIR: I have the honor to acknowledge your communication of the 14th instant, in which you inform me that the governor of Shantung has reported to you the case of Mr. Mills, an American missionary, who wished to rent premises of the widow Hwang, living outside of the east gate of Tangchau, and had sent masons and other workmen to the place, on the 22d of July last, to pull down and repair the buildings without her consent and against local usages. And further, that a despatch had been received from Mr. Morrison, the British consul, who had stated in it that the owner was willing to lease the premises, but that one Yuen Tingchin, and others among the gentry, had interfered to prevent her doing so.

It is to be inferred that as these two statements differ in many respects, there are still some other circumstances not fully explained; and as I have hitherto heard nothing of the case, I will immediately instruct Mr. McCartee, the American consul, to inquire into the matter, and report to me in order to come to a settlement of the matter.

In the despatch, under reply, it is stated that such an act as oppressing a desolate widow is contrary to the precepts of religion, and this is quite true; but I have heard that Mr. Mills has been engaged in missionary labors in a quiet way, and that he is a kind and honorable man. The allegations made in the despatch should therefore be thoroughly examined and sifted to learn their truth, and a summary decision not be made on the report of one party; an opinion in which your highness will no doubt concur.

I have the honor to be, sir, your highness's obedient servant,

ANSON BURLINGAME.

His Imperial Highness PRINCE KUNG, *&c., &c., &c.*

[Enclosure D.]

Mr. McCartee to Mr. Burlingame.

CHIFU, *September* 9, 1864.

SIR: In pursuance of the instructions contained in your excellency's despatch of August 22, I have now the honor to report, that I have carefully examined the statements of the Rev. C. R. Mills, and of several Chinese who are still or who have been in his employ during the time of the contention about the premises in dispute, and I would respectfully submit as my opinion, that while there is no evidence that he had any intention to violate the treaty in his proceedings, he unfortunately can produce nothing in the form of a deed of sale or landlord's agreement, nor any document from the owner of the premises, Hwang Tsung-King, authorizing their sale or rental. Mr. Mills seems to have felt satisfied of the willingness of the owner, from the assurances of the house-agents, Hwang Chuh-Kian and Chu Siu-Ugan, as also of a man named Lin, who professed to have been sent to him by the latter, but particularly of the broker Ching, a native of Nganhwai province, who professed to act under the authority of a power of attorney, asserted to have been executed by the owner, Hwang Tsun-King, to his wife's nephew, Wang Tsin-ping, authorizing the latter to sell or otherwise dispose of the property. It does not appear that Mr. Mills ever saw this document, or that he ever personally met, or had any communication in writing with, either of these two persons, but seems to have taken possession of the premises at the instigation of the aforesaid Ching. This man assured him that the owner was perfectly willing, but feared to incur the enmity

of the gentry of Tangchau, who, it is reported, have formed a league to intimidate and hinder all persons from renting or selling houses to foreigners. Ching advised Mr. Mills to enter and occupy the house at once, promising to obtain a regular bill of sale or lease three days after so doing.

Neither rent nor purchase money have yet been paid, and the only document Mr. Mills holds from any of the parties interested is a receipt from Hwang Yuh, and signed by his father with his mark, but not attested by the signature of witnesses. By the advice of Ching Mr. Mills also wrote to the district magistrate of Punglai, inquiring if a deed of sale executed to a foreigner would be considered valid, to which no written reply was received, but a verbal message was sent to him "impeaching the validity of the purchase." One native witness whom I examined stated that in this message the magistrate also warned Mr. Mills that he would not be responsible for compensation if he (Mr. Mills) allowed himself to be swindled by dishonest men.

Mr. Mills then went to Chifu and consulted the British consul, M. C. Morrison, esq., expressing to him his satisfaction that the owner of the property was willing to transfer it to him. Mr. Morrison, upon the supposition that Mr. Mills had sufficient evidence of this willingness, concurred, as the latter states, "in the propriety of so doing, only recommending that it should not be done if likely to produce a popular rising."

He returned to Tangchau, and, at the request of Hwang Yuh, the tenant, having notified the family of the owner, proceeded to take possession of the premises, and to make alterations and repairs. He was opposed by Hwang Tan-ming, a nephew of Hwang Tsun-King, who drove away his workmen, whereupon his colleague, Mr. Mateer, and himsef commenced to make the repairs and alterations with their own hands. At this time, thel widow Hwang and the nephew or nephews of Hwang Tsun-King, petitioned the district magistrate against Mr. Mills, accusing him of taking violent possession, &c., who replied by issuing a proclamation, in which he quoted that part of article XII of the United States treaty which prohibits proprietors from demanding exorbitant prices, and citizens of the United States from taking forcible possession of houses, &c.

Mr. Mills proceeded with his repairs, leaving a servant in charge of the premises during his absence or Mr. Mateer's. An attempt was made by some unknown person to blow up the house with gunpowder, whereupon one of the Chinese witnesses testifies that Messrs. Mills and Mateer armed themselves with a revolver and took turns in watching the premises day and night. Hwang Tan-ning hearing of this, and being apprehensive that a serious disturbance might arise, went there, and calling Mr. Mills aside, told him to go on with the alterations, assuring him that sooner or later the premises would be conveyed to him in a legal manner.

This account is derived from the statement of Mr. Mills, and of Chinese who now are, or were at the time, in his employ. Tangchau is distant from Chifu about 165 li, or 50 English miles by the ordinary road, which renders it impossible for me to get from it the evidence of the witnesses for the plaintiff, or to communicate with and receive replies from the authorities relating to this affair, without such delay as will preclude the possibility of forwarding the results to Peking by the steamer for Tientsin, which is expected to arrive this evening.

It appears to me that this case is likely to prove, as your excellency remarks, a "test case;" and if Mr. Mills, whether innocently or otherwise, has violated the treaty and shall be compelled to evacuate the premises, and pay damages to the injured parties, the result will be most disastrous to foreign influence in Tangchau, and calculated to embolden the gentry of that city in their endeavors to prevent the missionaries and others from renting or obtaining building sites, not only in that place but in every other where their influence extends.

You are doubtless aware that for more than twenty-one years I have held the appointment of missionary physician and translator, under the same society of which Mr. Mills is a clerical missionary. It might be supposed, therefore, that I should wish him to be successful in this suit, and if it should appear that his course is one which ought justly to be sustained, I shall be most happy to contribute all the energies I possess to the furtherance of this cause. But the question of justice or injustice, as in duty bound, I respectfully submit to your excellency's decision, and beg to subscribe myself,

Very respectfully,

D. B. McCARTEE.

His Excellency Hon. ANSON BURLINGAME,
United States Minister, Peking.

P. S.—I enclose a copy of a communication from the district magistrate of Punglai, addressed to the missionaries at Tangchau, calling their attention to an order coming, in the first place, from the foreign office, requiring him to summon Mr. Mills, and order him to obey the treaty by evacuating the premises if he had been guilty of taking forcible possession.

2d P. S.—September 14. I had hoped to be able to send the formal statements of Messrs. Mills, Mateer, and Crawford, and of the Chinese in Mr. Mills's employ, but they have not reached me. I, however, send a copy of Mr. Consul Morrison's despatch to the intendent of circuit, which has been kindly placed at my disposal. In a private note he remarks: "The impression which (without a *personal* knowledge of the circumstances) Mr. Mills's narrative gives me is, that his view of the case is probably the correct one. I think if he remain qui-

etly in possession for a little while, that the opposition will die away, which appears to have emanated from the gentry and scholars, more than from the owners of the property."

The names of the gentry mentioned in Mr. Morrison's despatch are Yuen Ting-chin, Mu Yerch-King, "and others, men of distinction in this place, who, on behalf of themselves and the principal property owners, have resolved at a public meeting that no more real estate shall be conveyed to foreigners." This remark is an extract from Mr. Mills's representation to the British consul, but I have no documentary evidence in proof of it. I am able only to send Mr. Mills's informal statement of the case at this time.

D. B. McC.

[Enclosure E.]

Statement of Rev. C. R. Mills.

Early in the spring, when the renting of the property was first proposed, I called on the owner at his house in reference to the matter. A public meeting of the gentry had just been held in reference to my renting another house in the city; and, as the district magistrate informed me, they had proposed offering violence to foreigners; while others have told me that they declared to him that, though the owner of the house in question desired to rent it to foreigners, they would not permit it. As I had avowed that my object was the negotiation about the house, it was from this cause, I believe, that I had difficulty in obtaining an interview. At last I received a message from the owner that the matter should be intrusted to a neighbor, Mr. Lin, who would communicate with me, and two days after this man told me the property was rented. He also remarked that he had heard the owner say he had no personal objections to renting to foreigners, as they would probably pay a good price; the only real difficulty was the opposition of the gentry, but that the tenant might sublet to me if he chose.

About the same time Hwang Yuh, the tenant, came to my chapel voluntarily, and, in the presence of Wang Hwa-yuen, affirmed that he had no objection to my coming, provided the owner was willing; but, as he did not put this in writing, I did not act upon it, and gave up for the time all expectations as to the house. In the mean time the owner left the city.

Some time after two real estate agents, named Hwang and Chu, called to say to me that they came to open negotiations for the house, and, as I believed, with authority to do so; for one of them, then or soon after, said that the owner had been written to upon the subject, and his answer was expected. They were informed that I preferred to rent rather than buy, and were told that I knew the property in question had been bought for 600 strings of cash. This remark accounted for their not returning, I fully believe, as they had promised to do. Another period elapsed, when a third agent, named Ching, came to me, proposing to sell the property; and, as it seemed impossible to rent, I reluctantly opened negotiations with him for buying it. After some bargaining the price was agreed upon at 800 strings of cash in the presence of two men, Lin and Chang. He claimed an extra allowance as broker because I was a foreigner, and I subsequently agreed to pay him eight strings of cash, with which he was satisfied, and the bargain was closed in the presence of Chang and Liu. No intimation was given that the transaction was not on behalf of the owner, and the agent Ching particularly stated that he had been heard from. I certainly believed it to be a *bona fide* bargain, and so did all the Chinese witnesses.

I offered to pay the money at once on his giving up the title, but he objected, which I attributed to a suspicion he might have that I wished to get the document and then refuse to faithfully pay the money, and not to any invalidity in the purchase. It might also be an honest mistake as to the feasibility of getting a title for a foreigner, for he asked me to write to the district magistrate and inquire whether a title could be given to a foreigner. I regarded this as gratuitous, but did so to remove the agent's scruples, and he promised to apprise this officer of the sale of the property. The district magistrate made no written reply to my letter, but sent a verbal message to me impeaching the validity of the purchase.

I then investigated the matter with the agent, who then told me that the owner, owing to the opprobrium attaching to the sale of land to a foreigner, chose to use the name of a certain relative in this transaction named Wang Tsin-ping, such transfers being frequently made in China, and strongly urged me to move at once into the house, assuring me that the title should afterwards be given. He added that this relative had a claim on the property, his grandfather having lent money and taken this land as payment for his debt.

Before following this advice I went to Chifu to consult with Mr. Morrison, the British consul, (there being no United States consul near,) and told him my purpose to take possession of the premises, according to the suggestion of the agent. He concurred in the propriety of the step, only recommending that it should not be done if likely to produce a popular rising.

I returned and proposed to take possession of the house, informed the tenant so, and asked him to let the owner's family know; but, at his request, I told them. Hwang Tang-ming,

a nephew of the owner, objected, but I have no evidence that he acted by authority, and he had declined to negotiate early in the spring, when I wished to rent it. Some angry words passed at this interview, at which I probably showed too much feeling. The next day, June 22d, I went to the house, and in this man's presence Mr. Mateer removed a window from it, whereupon he left as in a passion. The next day he came and ordered some of the workmen to leave; but in the afternoon, in company with another member of the family, he returned and offered to settle the matter for me. I agreed to do so if he would put his offer in writing, but he declined doing that, and, as a third course, proposed to leave the whole matter to the decision of the district magistrate. I consented, and we repaired to the office for that end, but the magistrate refused to see us. I then proposed to accept the same terms from the prefect; but he declined going to that officer unless I would lead the way to his office, which I objected to, not being a Chinese subject. We therefore did not visit the prefect.

The next day, June 24th, two land agents, named Hwang (a distant relative of the owner) and Chu, came to my house early, and requested me to postpone my repairs on the house. They said they came with authority, and were sent by the nephew. I accordingly stopped work; but, toward evening, they came again to say that the title could not be made out then, but directed me to go forward with the repairs. I believed this to be authoritative.

A day or two after the nephew, Hwang Tang-ming, met me there, and we conversed together without any ill feeling, when he intimated that some difficulty existed which he wished to explain privately to my assistant. They then held a private conversation, when Hwang said that the only fear was that the district magistrate, taking advantage of a misunderstanding existing with the owner, Hwang Tsun-King, since last winter, would make a pretext of the sale to injure them. They both urged me to call on him in their behalf to request him to settle the case. I did so, but he failed to execute the promise he made to settle it. Shortly after my teacher called on the family, when this nephew and others of the household promised him that they would draw up a paper authorizing me to proceed with the repairs, but it was never sent.

My relations with the renter, Hwang Yuh, have uniformly been friendly. He had sublet the house to one or more persons, one of whom received a compensation from me for moving out. Hwang Yuh has consistently expressed the utmost willingness that I should occupy the property, and has given me a receipt signed by his father-in-law for the 20,000 cash which I paid him for damages done to the garden during the alterations made on the premises.

I have made this statement at Chifu, and there is consequently a want of precision in the dates; but I have given all the facts, so far as I know, necessary to a clear understanding of the case, and am not conscious of having withheld any facts because they might not promote a decision in my favor.

CHAS. R. MILLS.

CHIFU, *September* 2, 1864.

P. S.—I have just received from a man at Tangchau, in whom I have entire confidence, what purports to be a message from the district magistrate, recommending me to hand the eight hundred strings of cash to the consul, with the request that he would in turn hand it to the intendent of circuit, who was to be requested to transmit it to the district magistrate, who would then offer to pay it to the owner and give me a title to the property.

I started for Chifu the next day in order to pay the money to Mr. Morrison, in compliance with these suggestions, and had actually called on him for that purpose, when I learned that D. B. McCartee had been invested with authority to examine the case, which would probably render such a course inexpedient at present. I may add that my informant stated that the district magistrate wished it might not transpire that this action was proposed by him.

C. R. M.

[Enclosure F.]

Mr. Burlingame to Mr. McCartee.

LEGATION OF THE UNITED STATES,
Peking, October 8, 1864.

SIR: I beg to acknowledge your despatch No. 2 of the 9th ultimo, with its enclosures, referring to and explaining the renting of the premises outside of the east gate of Tangchau by the Rev. C. R. Mills. These papers, together with your own clear statement, have put me in possession of those facts and inferences which have enabled me to present the case to the foreign office in as favorable a manner as they permitted. I have not yet received an answer to my proposition to Prince Kung to refer the settlement of the case back to you and the local authorities at Tangchau, but as he may notify the latter of this proposal before he replies, I send you a copy of my despatch to him that you may see how I have stated the case. In it I maintain the right of foreigners to live at Tangchau city by treaty, and base this right on the city and its dependent port being both included in the intention of the treaty. Tientsin and Taku, Canton and Whampoa, Ningpo and Chinhai, are all similar cases in this respect,

except that at Tangchau no consuls have opened their offices. When the treaty was made in 1858, its capabilities as a port where ships could anchor and trade be carried on were not well known, and it has since proved to be less commodious than was expected.

As soon as I receive an answer from the Chinese officials I will furnish you with a copy and such directions as may be necessary.

I am, sir, your obedient servant,

ANSON BURLINGAME.

D. B. McCARTEE, Esq., M. D.,
United States Consul, Chifu.

[Enclosure G.]

LEGATION OF THE UNITED STATES,
Peking, October 3, 1864.

SIR: I have the honor to inform you that on the 19th of August I sent orders to D. B McCartee, the United States consul at Tangchau, and he has, in return, furnished me with the following report respecting the case of Rev. C. R. Mills renting a house and lot:

"It appears that when Mr. Mills desired to rent the old garden and premises belonging to the widow Hwang, situated outside the east gate of Tangchau, he employed one man named Ching, with three others as brokers, whose occupation was to arrange the leasing of houses, and they inquired of the owner Hwang Tsun-King, and informed Mr. Mills of the conditions on which the place could be rented, and that the owner, Hwan Tsun-King, was quite willing to come to an arrangement. These brokers said that he was willing enough, but as the gentry might make difficulty when they heard of it, perhaps the best way would be to make the repairs first, and that the contract for the terms of the lease could be drawn up after they (the foreigners) had moved in.

"It was in this way that the brokers induced the two missionaries to begin making repairs; and they knowing that both the owners of the property and the brokers were men of respectable character, while they were much crowded in their present residence, and the hot weather was approaching, and had even come, accordingly came with workmen to repair the buildings. The work had gone on for a few days, when Hwang Tan-ming, a nephew of the owner, came to the place and compelled the workmen to leave, and also entered his complaint before the district magistrate of Punglai. The missionaries then continued the repairs themselves, as it was difficult to stop them midway; and the nephew likewise expressed himself as quite willing to allow Mr. Mills to proceed with the repairs, and that afterwards a regular contract could be made with the owner. When these repairs had been completed a man named Hwang Yuh, who had lived on the premises as a gardener, complained that the workmen had injured and trampled down his garden while doing the job; which, when Mr. Mills learned, he compensated him for, by paying him the sum of 20,000 cash ($27,) and took his receipt for the money, dated August 29, now in Mr. Mills's possession.

"It is evident from these statements that the landlord and Mr. Mills had a good understanding with each other, and it was owing measurably to the arrangements and advice of the brokers that no regular lease was made out. Mr. Mills had no desire to oust any person by violence, nor had he the least intention to insult or oppress the widow, Hwang, in anything that he did."

In presenting this report, I may observe that the port of Tangchau is mentioned in the foreign treaties among the ports where foreigners can reside for trade, although, owing to the discommodities of the anchorage at the city of Tangchau, the merchants carry on their trade at Yentai, and their vessels anchor there. Moreover, foreigners have resided at Tangchau itself several years, and leased houses there, so that it cannot be regarded as a violation of treaty stipulations to do so. The consul has forwarded to me several documents connected with this affair; and as the whole matter seems to be much mixed up, and there are discrepancies in the statements, I think the best way will be for me to refer it back to the consul to manage; and I request that the Foreign Office will likewise instruct the local magistrates to meet him, and let them consult upon, and amicably settle, the whole question between them in a spirit of mutual consideration.

I have the honor to be, sir, your highness's obedient servant,

ANSON BURLINGAME.

His Imperial Highness PRINCE KUNG, *&c., &c., &c.*

[Enclosure H.]

UNITED STATES CONSULATE,
Chifu, October 25, 1864.

SIR: I have the honor to inform your excellency that, on the 29th of September, I received a communication from the Rev. Messrs. Mills and Mateer, American citizens, residing at Tangchau, informing me that they "understood that prosecution had been instituted before Chinese officers against Chang Kan-chin, on account of his having attempted to rent houses" for them in Tangchau, and soliciting for him "protection, that he may not be delivered up to Chinese officers."

In replying to this communication, I informed these gentlemen that, although by treaty the United States government had secured to its own citizens exemption from the jurisdiction of the Chinese officers, "the Chinese government had never surrendered its jurisdiction over its own subjects, and that, should it appear that any of them are accused of infraction of their own laws, the officers of the United States of America have no power to interfere to prevent their arrest or punishment;" but that "if it can be shown that they suffer injury on the part either of the government or of individual Chinese for their lawful employment under American citizens," that "this will be an infraction of article XXV of the treaty of Tientsin, and will constitute a proper subject on which to demand redress. Such redress may, however, come too late to remedy the evils complained of. I also reminded Messrs. Mills and Mateer "that the consular representative of the United States of America is stationed at Chifu, fifty miles from Tangchau; that he has no man-of-war or other force at his disposal; and that his ability to render aid, or to enforce the provisions of the treaty must depend in a great measure upon the prudent conduct and cordial support and co-operation of his fellow-citizens." I also forwarded to them a document in Chinese, to be given to Chang Kan-chin, (enclosure No. 1,) in which, after reciting the provisions of article XXV of the American treaty of Tientsin, I request from the local officers their aid and protection for him while peaceably pursuing his employment according to the treaty. At the same time I advised Messrs. Mills and Mateer that Chang "is a Chinese subject, and that we have no right to prevent his arrest for an alleged crime against the laws of China;" that "even should we suspect that the alleged crime was but a pretext for persecution on account of his lawful connexion with the citizens of the United States of America, it might be very difficult to obtain such proofs before the trial as would justify the foreign authorities in interfering;" and that if, in their opinion, "the man is in danger of arrest, the safest plan would be to send him at once to this consulate, and let the Chinese officers make their requisition for him upon us," &c.

I have also the honor to acknowledge the receipt (on the 18th) of your excellency's despatch of the 8th ultimo, enclosing a copy in Chinese of your despatch to Prince Kung, proposing to him to refer the settlement of Mr. Mills's case back to myself and the local authorities at Tangchan. On the 20th instant I received an official visit from Pwan, intendant of circuit, &c., who came to propose that he should send for the district magistrate of Punglai, together with the men, Wang Tsin-ping and Ching, referred to in my previous despatch to you, and that I should send for Mr. Mills, when the dispute could be examined and decided by the public officers of the two nations, acting in conjunction, agreeably to article XXVIII of the treaty. I informed him that I had just received your excellency's despatch, in which you stated that you had proposed to Prince Kung to refer the settlement of the case to the local authorities and myself, and that I thought it would be better to await the answer from the Foreign Office. He replied that the prefect of Tangchau was then absent from the city, but would probably return in about ten days, and that I might fix upon any time after that for the joint trial. I told him that by the time specified I thought I should be able to make some arrangement of the kind proposed.

About an hour after he left me I received a letter from Mr. Mills, at Tangchau, dated October 17, enclosing a document from the district magistrate of Punglai, addressed to the American missionary, (or missionaries,) and sent to Mr. Mateer's house on the 15th. In it he says that he has received instructions from the intendant to eject Mr. Mills summarily from the house, and restore it to Mrs. Hwang-Chang, and, after accusing him of breach of treaty and gross irregularity, requests him to fix a day upon which he will leave the house, and enjoins him not to delay. Upon the receipt of this letter, I addressed the intendant, reciting the stipulations of articles XI and XXVIII of the treaty, reminding him of the proposition he had made to me with reference to a joint trial; acquainting him with the fact of the magistrate's order to Mr. Mills, which I quoted in full; and telling him that it appeared to me to be irreconcilable with his own proposition the day before, as well as contrary to the treaty. In his reply the intendant states that his proposition to have the district magistrate bring Wang Tsin-pin, &c., and that I should cite Mr. Mills to Chifu for a joint trial, was according to article XII, which prohibits citizens of the United States from "compelling [persons] to rent, and from taking forcible possession," &c., (Chinese text;) that his order to the magistrate was given because Mr. Mills had taken forcible possession of a house without having had any agreement to rent it, and has already occupied it four months and more; and that he had been ordered by the Foreign Office to command the magistrate of Punglai to transmit orders to Mr. Mills to respect the treaty, which did not allow compulsory renting of people's houses, and that if Mr. Mills had forcibly taken possession of one he must leave it, in obedience with the treaty; and that, therefore, his (the intendant's) orders to the magistrate were not contrary to the treaty, nor incompatible with his proposal to me. (See enclosurd No. 2.)

Yesterday I again addressed the intendant on the same subject. (Enclosure No. 3.) Whether his proposition to me was an afterthought, and in consequence of a wish to have a new trial—if, indeed, any trial could be said to have taken place—and thus avoid the charge of having failed to conform to the stipulations of article XXVIII; or whether it was intended to take advantage of Mr. Mills's absence to recover possession of the house, I am unable at present to say. I am fully convinced, however, that there is a powerful party in Tangchau

which is determined to oust, not only Mr. Mills, but all other foreigners from the city; and this of itself would be enough to prevent the landlord from executing a lease of the premises to Mr. Mills. Under present circumstances, it would be quite impracticable to induce witnesses to give testimony which might draw down upon them the vengeance of the league of the gentry; and that not only the magistrates, as Mr. Crawford deposed, (see my last despatch, enclosure A,) but the intendant also is intimidated by them, and feels it to be his safest course to side with the opposition. The previous magistrate of Punglai district lost his office in consequence of a disturbance among the literary candidates, in which he was beaten by them; and the intendant himself, when we first spoke of this affair, related to me the ill treatment he had experienced at the hands of the people of Wai-hai-wei, where he went last year to establish new custom-house regulations. He was surrounded by several thousand men, who compelled him by threats of violence to write a proclamation upon a stone tablet, assuring him that no alteration should be made in the duties.

Since writing the above, I have received (October 26) a second despatch from the intendant, (enclosure 4,) from which you will learn that the Chinese officers have prejudged the case, and that a joint trial would be of no avail. If I had legal proof that Mr. Mills had rented the house in question, or if he had even obtained a document from any person pretending to be authorized to act for the owner, I might have some hope of making it appear, at least, that he had not acted wilfully, but had been deceived. Unfortunately, I am in possession of no such proofs; and from the tone of the intendant's despatches it is evident that the Chinese officers do not consider the question as an open subject at all; while, from what he says in reference to article XII of the treaty, it appears as if his object in proposing that I should send for Mr. Mills to come to Chifu was solely to have him punished by the consul according to the laws of the United States of America.

As I am obliged to prepare this despatch and its enclosures for the steamer hourly expected, and am entirely without assistance, so that I must do the whole of the translating from and into Chinese, and the copying, (save only of the Chinese documents,) I beg your excellency to excuse any appearance of haste in the present communication, and believe me that I have the honor to be, very respectfully,

D. B. McCARTEE.

Hon. A. BURLINGAME,
United States Minister at Peking.

[Enclosure I.]

LEGATION OF THE UNITED STATES,
Peking, November 16, 1864.

SIR: I have received your despatch of the 25th ultimo, with its enclosures, and have carefully read them, and beg to express to you my thanks for the careful and judicious manner in which you have acted in this difficult case, and for your lucid statement of its present condition.

So far as I can see, the wisest course to follow now is to wait for the Chinese officials to move. If they insist on Mr. Mills vacating the premises, the right of residing at Tangchau at all must then be settled, and that involves their power to enforce a treaty stipulation, for they may not quote one part of an article so as to nullify another part of the same article; if Americans have the right to live in that city, the first part of article XII must needs be effectual to enable them to obtain houses somewhere in it.

A similar dispute about obtaining dwellings occurred at Canton in 1846, in which, however, the United States authorities had a better case on their side; for a lease had been obtained from the owner, who had readily consented to a profitable disposal of his house and lot on the strength of the treaty; yet he was imprisoned and harshly treated, and forcibly prevented renting the house. Another man died in prison, about the same time, for the same offence against the seclusive pride of the gentry of Canton. Subsequently the opposition died away, and our countrymen succeeded in obtaining good residences, and I hope a similar change will be seen at Tangchau and Yentai.

If the Chinese still insist on Mr. Mills leaving these premises, they should offer him others, and allow the owner of these to arrange with him, on equitable terms, for the repairs laid out on the place. From what you remark, it now seems unlikely that any good would come from an attempt to settle the matter by the local authorities and yourself, and it will be advisable to wait further developments both there and in the capital.

The principle which you have expressed in your reply to Mr. Mills respecting the interference of the United States authorities in behalf of Chinese subjects is the correct one; the Chinese government has never surrendered its jurisdiction over its own subjects, and all we can do in behalf of those who may be unjustly accused or punished is to represent the facts in their case as opportunity presents. We can make no demands, nor require any compensation or satisfaction for their wrongs.

I am your obedient servant,

ANSON BURLINGAME.

D. B. McCARTEE, Esq.,
United States Vice Consul, Chifu.

[Enclosure J.]

UNITED STATES CONSULATE,
Chifu, November 21, 1864.

SIR: I have the honor to inform your excellency that the suit of the widow Hwang-Chang against Rev. C. R. Mills, on an action of trespass and ejectment, has been amicably settled both parties having agreed at my suggestion to refer the case to arbitration. At the instance of the district magistrate of Punglai, the representatives of Hwang family nominated as their referee a Chinese named Li, (who I was afterwards informed was the assistant magistrate of the district,) and Mr. Mills nominated H. G. Howlett, esq., (who was connected with the British consulate.) An indenture was drawn up in duplicate, and signed by Mr. Mills and by the representatives of the Hwang family, by which Mr. Mills covenanted to vacate the house on condition that the magistrate should rent for him a temple, which he specified, and the Hwang family to pay Mr. Mills 400 taels for the improvements put upon the house, and he to pay a specified rent to the family until he left the premises.

I enclose a copy of the bond given to the district magistrate and myself by the representatives of the widow Hwang, and also a corresponding bond executed by the Rev. C. R. Mills. Their originals are filed in the office of the magistrate and in this consulate. I also enclose a copy of the indenture made between Mrs. Hwang and Mr. Mills in duplicate, signed by both parties, and witnessed by their referees, each party retaining a copy; also a copy of a note from the magistrate asking for an abatement of the award, and of my reply declining to do so. His worship returned to Tangchau on the 19th instant, and I expect in a few days to receive a despatch from him acknowledging the adjustment of the case; when I get it I shall again address your excellency, and forward copies of the correspondence.

I have the honor to be, very respectfully,

D. B. McCARTEE.

Hon. A. BURLINGAME, *&c., &c., &c.*

[Enclosure K.]

UNITED STATES CONSULATE,
Chifu, December 31, 1864.

SIR: More than a month has now elapsed since I had the honor to address your excellency, announcing the amicable settlement of the suit brought by the widow Hwang-Chang against the Rev. C. R. Mills, and, as yet, I have heard nothing further from his worship, the district magistrate of Punglai. From private letters from Tangchau, I am led to believe that the complainants represented by the widow have come to the conclusion that it is more to their advantage to allow Mr. Mills to continue to occupy the house in dispute at the rent specified in the bond, than to pay him the sum awarded as remuneration for the improvements he put upon the house. I think it may be safely concluded that the affair is now finally settled.

As it was solely with reference to the adjustment of this case that I consented to act as vice-consul, I beg, now, respectfully to announce to your excellency that I have written this day to the consul general, requesting that officer to transmit the Department of State my resignation of the office. This is the fourth time that I have had the honor conferred upon me without solicitation, and it is gratifying to my feelings to learn, through the secretary of legation, that the manner in which I have discharged the duties of the office, during the brief term for which I have held it, has met your approval.

I have the honor to enclose a communication from Mr. Mills, relative to outrages committed upon the graves in the American cemetery at Tangchau, sent at my request, as I thought I might wish to make some use of it in the discussion with the district magistrate. Finding, however, that he was much more likely to be conciliated than my previous correspondence with the intendant had led me to expect, I did not think it advisable to complicate the discussion by bringing forward the desecration of the tombs at that time. I now send Mr. Mills's statement, as Dr. Williams suggests that it may be of use to preserve among the archives of the legation for future reference.

His worship, the magistrate of Punglai, was very anxious that I should write to your excellency in reference to his conduct in this affair, in such terms as would induce you to make favorable mention of his name to the foreign office. I am very happy to testify that I found him much more reasonable, and apparently anxious to settle the affair amicably, and in accordance with the spirit of the treaty, than the intendant, who evidently desired to press the case to a decision adverse to Mr. Mills, and to drive him from Tangchau.

In taking official leave at this time, I beg to assure your excellency that, although the requirements with reference to consular officers are now such that it is impossible for me to retain the office under my present circumstances, yet, should any exigency arise in which my long residence in this country, and my acquaintance with the written and spoken language of China, may render my services desirable to promote the interests of the United States in China, I shall always be ready and willing to render such services to the extent of my ability.

I have the honor to remain, sir, very respectfully,

D. B. McCARTEE.

Hon. A. BURLINGAME, *&c., &c., &c*

[Enclosure L.]

Mr. Burlingame to Mr. McCartee.

LEGATION OF THE UNITED STATES,
Peking, February 20, 1865.

SIR: Your despatch of December 31, 1864, has been received. It informs me of the successful settlement of one of the most difficult cases ever presented for diplomatic action. Your conduct throughout the negotiations is deserving of special commendation. The department will learn, as I do, of your resignation with regret, and will appreciate your patriotic efforts in the past, as well as your proffer of similar services in the future.

I shall have the honor to suggest your name to the government in connexion with a place better suited than the one which you have had for the exercise of your rare qualities as a Christian, patriot, and scholar.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

D. B. MCCARTEE, Esq., *Chifu.*

Mr. Burlingame to Mr. Seward.

No. 102.] LEGATION OF THE UNITED STATES,
Peking, March 11, 1865.

SIR: I have the honor to send herewith correspondence in relation to the prohibitions that exist in China against entering forbidden places.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Enclosure.]

PRINCE KUNG, chief secretary of state for foreign affairs, herewith makes a communication:

Some time ago, owing to the non-acquaintance with our regulations respecting going into the gate of the forbidden city, or the enclosure of the Yuen-ming gardens, or the imperial mausolea at Tsun-hwa, and at Mukten in Manchuria, which foreigners exhibited, inasmuch as they had heedlessly broken the rules and intruded into these important places, notifications were made [to the foreign ministers] in order that they might enjoin the same on whomsoever it concerned.

A minute has recently been received from the sacrificial board upon this subject, as follows:

"The imperial statutes respecting entrance into altars, temples, and other forbidden places, should be most carefully observed, and it is for their protection that officers and soldiers are distributed at them to guard against intrusion. Except the policemen and official employés who are detailed for this duty, all idlers and persons having no duties there are not allowed to go in and out. If the present condition of things is allowed to remain longer it is really to be feared that by and by some untoward event may happen from foreigners, ignorant of these prohibitions, trying to go into these enclosures and buildings against the wishes of the police guarding them, and the best way, therefore, will be to inform the foreign ministers beforehand, in order that they may strictly require their countrymen not to intrude into these forbidden places. Such a course will tend to show the importance of the statutes and our usages, as well as manifest the dignity of the nation."

I have, therefore, the duty to inform your excellency of these things, in the expectation that you will enjoin upon those persons under your direction that hereafter they are not to go into the precincts of the imperial tombs, or into palaces and other forbidden places where guards are stationed to prevent intruders, in order to ramble about and see them. This intimation is given in the spirit of the well-known maxim, "When you enter a kingdom learn its regulations," and I shall await a ready reply to it so that I can inform the officers of the sacrificial board of the same.

January 18, 1865, (Tunchi, 3d year, 12th moon, 21st day.)

His Excellency ANSON BURLINGAME,
United States Minister.

[Enclosure.]

Mr. Burlingame to Prince Kung.

LEGATION OF THE UNITED STATES,
Peking, February 15, 1865.

SIR: I have the honor to acknowledge the receipt of a despatch from your Imperial Highness of the 17th ultimo, in which you have quoted from a document which had been received

from the sacrificial board respecting the prohibitions that exist against foreigners entering forbidden places, and asking that they may be warned not to forcibly intrude into them.

I have carefully read this despatch, and need only remark in relation the subject, that as the path of propriety is plain, every man of judgment will see what the circumstances at any time require, and if any person under my control is at all guilty of making disturbance he will be dealt with according to the provisions of the treaty, and in the spirit of friendship which exists between our respective countries. It is, however, proper that the officers of the sacrificial board designate the time and place where an offence has been committed before I can act in this matter.

I beg here to refer your Imperial Highness to the third volume of Wheaton's International Law, chap. 1, (in the Chinese version,)for some details upon the usages of western nations in their intercourse with the representatives of friendly powers who reside at their courts, as they are there clearly described.

I have the honor to be, sir, your Highness's obedient servant,

ANSON BURLINGAME.

His Imperial Highness PRINCE KUNG, *&c., &c., &c.*

Mr. Burlingame to Mr. Seward.

No. 103.] LEGATION OF THE UNITED STATES,
Peking, March 11, 1865.

SIR: I have the honor to send herewith an imperial decree made in response to complaints by the British representative, Mr. Wade, for the English and Prussians, on account of the death of one Englishman and three Prussians caused by the failure of the Chinese local officials to fulfil their treaty obligations.

The decree marks a step in advance, and is proof that the Chinese do not intend "to regard" the treaties "with indifference, as if they were but matters of form."

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure.—Translation.]

The office charged with the general administration of foreign affairs has presented a memorial requesting that the local authorities under the different provincial governments be instructed in all cases in which Chinese and foreigners may be parties to follow the course prescribed by treaty. The office represents that one Englishman and three Prussians, who had been committing a robbery in the village of Ma-chwang, in the province of Kiangsu, having got into collision with inhabitants, three of whom they mortally wounded, were seized and bound by the villagers and carried to the local authorities; and that the local authorities, each in turn endeavoring to transfer his responsibllity to some one else, would have nothing whatever to say to the charge of them; that the foreigners were accordingly left three days in their hands, and that two of them died of their sufferings. The office has written to the provincial government concerned to inquire into this matter and take the necessary steps.

In any province into which a foreigner may have taken on himself to penetrate unprovided with a passport, or in which he may have got into collision with the inhabitants or committed any unlawful act, it becomes the duty of the authorities under treaty to forward that foreigner to his consul to be punished.

In the case of this affray at Ma-chwang, the conduct of the authorities, if, as the memorial represents, instead of proceeding with the expedition enjoined by treaty, they let the foreigners remain bound so many days that their confinement proved fatal to life, was undoubtedly bad; but would it not be even a worse matter if under the provisional governments generally there were the same evasion of responsibility, the same unwillingness to act for fear of consequences?

We command, then, the governor generals and governors to give strict orders to the local authorities in their jurisdictions to observe for the future that any foreigner who may take on himself to go into the interior unprovided with a passport, or who though carrying a passport may be guilty of any unlawful act, or whose passport may not be in order, is to be seized and forwarded to his consul for punishment; that any foreigner seized by people who may have suffered at his hands and carried to the local authorities before the latter can have cognizance of his act, is, as soon as he is brought up to them by his captors, to be forwarded in

accordance with treaty to the nearest consul for punishment; and that, whether seized and forwarded by the authorities or by the people, though kept in such restraint as will prevent his escape, he is not to be maltreated by the way.

And whereas cases in which Chinese and foreigners are parties are of very frequent occurrence, we further command the local authorities to study constantly and make themselves thoroughly conversant with the foreign treaties. They are not to regard them with indifference, as if they were but documents of form, lest so doing when the occasion for their application of the treaties presents itself, they commit errors in more ways than one.

Respect this!

January 14, 1865, (Tunchi, 3d year, 12th moon, 17th day.)

Mr. Seward to Mr. Burlingame.

No. 121.] DEPARTMENT OF STATE,
Washington, March 27, 1865.

SIR: Your despatch of the 10th of November, 1864, and its accompaniments, relative to the regulations by which you propose to conduct the proceedings in the consular courts of China, has been received. The subject will be submitted to Congress at its next session for consideration.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ANSON BURLINGAME, Esq., &c., &c., &c.

Mr. Seward to Mr. Burlingame.

No. 125.] DEPARTMENT OF STATE,
Washington, March 27, 1865.

SIR: Your despatch of the 10th of November last, No. 95, accompanied by a copy of a letter addressed to you by Thomas Walsh, esq., containing valuable and interesting information concerning trade between California and China, and estimates of the amount of aid which would probably be required by mail steamships between the two countries, has been received. It did not arrive, however, until the 10th instant, when Congress had adjourned.

I enclose a copy of the act "to authorize the establishment of ocean mail steamship service between the United States and China," approved on the 17th ultimo, which it is hoped will tend to develop trade and intercourse between the two countries.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ANSON BURLINGAME, Esq., &c., &c., &c.

Mr. Burlingame to Mr. Seward.

No. 105.] SHANGHAI, *April 22, 1865.*

SIR: I send you an imperial edict, marked A, according to which Prince Kung was to "be no longer employed in the general council to administer the government," and was "removed from all his functions, and no longer permitted to have a voice in public matters." I learn from my colleagues, and from Dr. Williams, that from the explanation of the members of the foreign office, and the attitude of the people, no apprehensions were entertained on account of the fall of Prince Kung.

The edict itself was accepted as furnishing all the reasons for the step taken. That portion of it relating to Wansiang tended rather to strengthen than to

weaken our relations with the Chinese government, as he has been long known to us as an enlightened friend.

Since the publication of the edict I learn, unofficially, that Prince Kung has been restored to his former position. This proves either that the edict was a clever arrangement on the part of his friends to meet the charges which have been made against him, or, as is most likely, that it was the result of a palace feud easily accommodated.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Translated from the Peking Gazette of April 3, 1865.]

We command the following to be made known to all the princes and officers of our court for their information:

We have been honored by the gracious commands of their Majesties, the two empress dowagers, informing us that on the 31st ultimo Tsai Shan-ki (a Hanlin graduate) had sent up a memorial stating that "in the administration of affairs Prince Kung exhibits such favoritism and greediness for presents, such arrogance and grasping after power, that people are everywhere discussing his conduct, and asking, if he manifests such objectionable traits, how can he be trusted to carry on the government?"

Now, although it may be difficult to substantiate particular charges, sufficient evidence still exists of the general truth of these allegations; yet, in examining what is so underhand and obscure, it is not easy summarily to ascertain the facts. When Prince Kung first undertook the administration of government he was generally diligent and circumspect; but he gradually has become overbearing, and puts himself forward as sole director in a defiant way, relying on his high rank and power; he has even forgotten his duty to his sovereign, and has gone so far as to disdainfully ignore us because of our youth, and often presumptuously restrained our acts. He has tried to produce dissension in our family in more ways than need here be specially mentioned. At the daily audiences his manner has been excessively overbearing, and his language to us has been often offensively boastful and wildly extravagant.

If we do not speedily make these things known, how can we, when the day comes for us to assume the government, employ the right men in its offices, and carry it on properly? It is an instance of our great leniency that we now pass over this flagrant conduct so mildly without thorough examination. Let Prince Kung, therefore, be no longer employed in the general council to administer the government, but be removed from all his functions, and no longer permitted to have a voice in public matters. This [sentence] also exhibits our earnest desire to protect him, as far as possible, [from the just deserts of his conduct.]

We earnestly enjoin on the members of the general council, who have the care of many weighty and perplexing matters devolving on them, to be united in their labors, and prove their diligence and loyalty in furthering the public welfare. Let Wansiang and his colleagues in the office which has the oversight of commercial affairs diligently attend to all their duties, and harmoniously carry on their proceedings. For the future the duties connected with the audiences and presentations will devolve in rotation on Prince Tun, Prince Shun, Prince Chung, and Prince Fan, who will have charge of these functions.

A special command.

Mr. Burlingame to Mr. Seward.

No. 107.] SHANGHAI, *April* 25, 1865.

SIR: I have the honor to forward to you by the last mail a copy of a translation yb Dr. Martin of Wheaton's International Laws. I did not in my despatch (105) give any history of its publication. I now do so in a few words. In the month of September last I was informed by a note from the officials in the foreign office that Dr. Martin, aided by Chinese scholars designated by Prince Kung, had completed the translation and that the money had been appropriated for its publication. I was informed also that they would, when the work should be printed, again address me. I responded, thanking them for what they had done, commending the book as the repository of the rules which govern nations

in their intercourse with each other, and stated that although its prescripts had not the force of statute law, or the obligation of treaties, still a thorough examination of the book could not fail to be of vital importance to them. The work was printed according to promise, and published by being sent in large numbers to their officials on the coast and in the interior of the empire.

The Chinese did not address me in writing, but called in person to mark their sense of the importance of the completion of the work, and when the Prince and suite kindly sat for their photographs, Tung Sun, who had superintended the translation, desired to be taken with a copy of Wheaton in his hand.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Burlingame to Mr. Seward.

No. 109.] SHANGHAI, *May* 4, 1865.

SIR: I have the honor to send you a despatch of Dr. Williams marked A, with enclosures marked B and C, prepared to send through Russia, but which was finally transmitted to me. This gives so clear a history of the difficulty at Peking, that it is not necessary for me to do more than to commend it to your careful perusal.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

A.

Mr. Williams to Mr. Seward.

PEKING, *April* 13, 1865.

SIR: It is now four weeks since Mr. Burlingame left here on his return, and somewhat uncertain whether a letter would reach him in the south of China, so that through himself you could without delay learn the unexpected change that has just occurred in this government. I have informed him of the first act in the drama, but, as the whole affair seems now to be concluded, and there is no opportunity to send by way of Tien-tsin, I send a short account of what has taken place directly to you by way of Russia, so that you may have the story as soon as possible.

It may be observed that after the retirement of the English and French forces in 1860, the late emperor deferred his return to the capital, either on account of sickness or fear, and remained at Jeho, in the northeast of this province, until his death in August, 1861, leaving the administration to his brothers. After the rightful succession had been secured to his son by the *coup-d'état*, Prince Kung accompanied him and the two regent empresses back to Peking, and was acknowledged as the active head of the government. These two ladies, one of whom is the late emperor's dowager, and the other the present emperor's mother, appear to possess much personal decision of character and take an active share of public affairs. Still the prince's position as I-ching Wang, or prince administrator of government, has gradually drawn towards himself most of the influence which the Chinese regard as specially appertaining to the throne, and rumor alleges that this power has been often misused. The citizens of Peking have given him a bad name for two years past, but his sudden and high elevation may have attracted to him much of the obloquy they usually bestow on their rulers. Foreigners are too little acquainted with the personal character of the men who manage this government, to be able to judge intelligently respecting many of the changes and plans of their policy; and very often many things are not known until they are adduced as the sufficient reasons for what has already taken place, but which could not safely be mentioned before.

On the 29th and 30th ultimo a grand review was held, at which the emperor (now ten years old) and empresses, attended by a large cortege, were present. It is reported that on this occasion the bearing of the prince toward them was so offensive that they determined to

endure him no longer, and on the 1st instant a decree appeared in the Gazette removing him from all his offices, and confining him to his own house, ostensibly in consequence of a memorial referred to in it. The charges against him in the memorial are of a general character, such as favoritism, arrogance, cupidity, and grasping for power, all shown in many ways, and so often as to be notorious. The emperor accepts the accusations, and, after referring to the prince's commendable conduct when he first took charge of affairs, says that he now shows his clemency and desire to shield a criminal, by simply relieving him of his public duties. His four brothers are detailed to attend in rotation to the duties connected with audiences and presentations, but his other posts are not filled up.

When the edict appeared one of the literary examinations was in progress, so that the capital was filled with scholars from all parts of the empire, but no disturbances arose, though precautions were taken to maintain peace if it should be disturbed. The popular gratification was too sincere. In it Wansiang, the leading member of the foreign office, is enjoined to attend with his colleagues to all the duties of that department with loyalty and diligence; but the whole thing was so sudden and its denouement so uncertain that they addressed a note to the foreign ministers on the 7th requesting them not to send in any official despatch for the present, but to employ the form of notes to make known business that could not be delayed; an intimation that the prince might perhaps be restored to his position as chief secretary of foreign affairs.

In their conversation they exhibited no alarm at what had happened, for it involved no change of policy. There was no party question mixed up with it, and the whole affair was of such a nature that it might ere long be arranged. It is quite probable that they may have felt some anxiety as to the effects of such a quarrel upon the provincial authorities, but that was a prospective contingency.

On the 8th the Gazette contained a report from Wo-jin and others, members of the privy council, who, in compliance with orders, had summoned the author of the memorial, named Tsai Shan-ki, before them to obtain his proofs for the charges made against the prince. Whatever may have been proven, this report contains nothing definite, except a hint at bribery and corruption, which implicates Sieh Hwan (one of the foreign office) and Lin Yung (the governor of Thansi) with the accused; but reference is made to a second statement containing eight other particulars. The privy council exonerates the prince in general terms, but does not clear him of all charges or errors, and in a courtier-like way refers the sentence on the finding back to the throne, the fountain of all power. Its general tone is favorable to the prince, and makes it easy for the emperor to restore him to part at least of his previous dignities.

Yesterday another paper appeared, containing an edict from the emperor, who had himself received the commands of the empresses upon the prince's case, in which, after the usual circumlocution and half-expressed excuses and reasons that these back-track documents exhibit, the prince is restored to his position at the head of the foreign office, and admitted as before to the palace, though it is not stated whether he has anything to do with the audiences. His highest post is not yet restored and is still unfilled. The two officers who are mentioned as implicated in a case of bribery, Sieh Hwan and Lin Yung, are to be strictly examined and may lose some of their honors.

I have given all the important facts connected with this affair that I have yet learned, for there is much secret history connected with it which will not come abroad, and shall forward translations of the papers to Mr. Burlingame, who may remain in the south long enough still to receive them. It is worth noting, as illustrating the Chinese character, that during all this time no one expressed any apprehension of danger to life or property to any person, but the whole furnishes an instance of the sudden changes in Chinese political life.

I have the honor to be, sir, your obedient servant,

S. WELLS WILLIAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State.

P. S.—A note has just been received from the foreign office, informing the foreign ministers that they may address their official communications to the prince as before, accompanied by his card; and I have also heard, from good authority, that he will ere long be restored to all his former honors; consequently, the whole affair rather establishes him more firmly than before in his control of the government.

B.

[Extract from the Peking Gazette of April 8th.]

Your Majesty's servants, Wo-jin and others, kneeling, present their report respecting the inquiry ordered by your Majesty, upon which they humbly beg the gracious glance to be bestowed.

Having received the orders of your Majesty from your own hand, together with the memorial of the Hanlin graduate, Tsai Shan-ki, we accordingly, on the 1st instant, sent for

him to appear before the inner council to be personally examined upon the grave charges contained in his recent memorial. We required him to furnish such evidence as he had to substantiate them, and then received from him a paper containing his own statement upon the matter; from which we gathered that two officers, Sieh Hwan and Lin Yung, were somewhat implicated, but the charges connected with them rested only on rumor, and the memorial itself contained all the evidence he had to furnish respecting the other allegations of arrogance, favoritism, and grasping after power.

It must be evident to every one that in conducting the grave responsibilities laid upon him, Prince Kung himself would feel that he ought to exhibit the highest respect and circumspection, joined with purity of conduct and strict uprightness. If in the time he has held these posts he has guided his acts by carefulness and strictness, how could he have so frequently induced this popular discussion of his conduct? Although the memorial adduces no evidence to prove the charges of cupidity, favoritism, arrogance, and grasping after power, yet it cannot, we apprehend, be said that there is no foundation for them. Respecting the first charge, which is almost necessarily of a dark and underhand nature, and one which parties not interested in the transactions cannot personally know, still the other three could not have failed to manifest themselves whenever he (the prince) presented a report or conducted any affair, and their earliest indications could hardly have eluded the keen eye of your Majesty.

We humbly think that the high prerogative of appointing and removing officers of state belongs entirely to your Majesty, and therefore how much it is best to reduce the power of Prince Kung, in order to manifest that regard which may be deemed suitable to a prince of the blood, is a point on which we respectfully await your decision. Regarding the implication of Sieh Hwan and Lin Yung [with the prince] in acts of bribery, and all the evidence connected with it, as noticed in the statement of Tsai Shan-ki, which we likewise find is also derived from mere rumor, it is but proper to await your Majesty's orders to inquire into the truth of the charges and act.

An additional statement under eight heads, which was also handed to us, is still under our most careful consideration and scrutiny, and we must defer our report on those portions which can be proven or rejected, until another day.

We now hand up the statement given in by Tsai Shan-ki for your Majesty's examination, and accompany it with a copy of our memorial, humbly imploring the instructions of the empresses and of your Majesty upon the same.

The supreme will has been received upon the above.

"It is recorded."

C.

[Edict, from the Peking Gazette of April 12th]

We have received the following gracious commands from their Majesties the empresses:

Having received several memorials concerning the circumstances appertaining to Prince Kung's case, drawn up by the Princes Tun and Shun, with Wang, a judge of the court of representation, and the censor, Shun—[the purport of which is,] "that although he has committed errors, he is still eligible for employment"—they were all accordingly referred to a united council, composed of princes, grandees, ministers of state, and scholars, censors and guardians, for their deliberation. They have reported that, according to the memorials of Wo-jin and Prince Li, and others, and to the several other papers drawn up by the privy counsellor, Yin; the censor, Pwan; the crown adviser, Wang Wei Chin, and a court clerk named Kwang, a general concord of opinion exists that "Prince Kung's errors all originated with himself, but as he is a prince of the blood, and one of the highest dignitaries of state, it must rest with his Majesty to decide whether or not, if he should be again employed, it would lead him to amend his conduct."

In the papers drawn up by the court clerk, Kwang, and others, it is observed, "that to have doubts and suspicions of the court itself, and to learn that discord exists at the fountain of authority, will startle all who hear it, whether at the capital or in the provinces, and greatly increase the daily anxieties [of the crown."] This remark indicates a correct and enlarged view of things, it is true; but while this affair has caused great sorrow in the court, they were not fully aware of all the feelings which affect us. Accordingly, the other day we directed Prince Fan and the members of the general council to go to the officers then assembled in the palace, and inform them that in consequence of this it was imperative on us again to express our will upon the case.

Prince Kung, a near relative of the Crown, and one of the leading supporters of the state, is the most trusted of all our family, and has been the recipient of many favors and honors. His favoritism has chiefly been shown in kindness to his own relatives and unwillingness to repel his own friends; and though his bearing when in the palace was frequently marked by a great neglect of what was suitable, yet it is best to suppress ill feelings and pass over little differences of the palace. We are very willing to take all such things patiently, lest out of such trifling disagreements results might arise that would disturb the whole operations of government and prove disastrous in their consequences. If we examine the records of former dynasties we shall find many instances of favorites raised to power who had been leniently

dealt with when convicted of faults, yet at last had become arrogant and grasping, and unless they were dealt with beforehand, and the results of such conduct were seen, it would be detrimental.

When, therefore, we learned Prince Kung's delinquencies, and issued our first severe orders respecting him, it was with the earnest hope that after that warning and admonition he would himself see the errors of his way in an humble spirit, and not again walk in the same path. It was, perhaps, a sharp reprimand for venial faults, but evidenced our wishes to protect and retain him as far as possible. If it had all been merely a momentary pique on our part, can it be supposed that we would have let the papers of Prince Tun and others be transmitted to a body of high officers to be deliberated upon? Since we have now learned that the reports of the princes and high officers agree in the opinion that the errors of Prince Kung have arisen simply from himself, and he is still eligible for employment, an opinion that coincides with our own, we therefore now issue this clear declaration:

Let Prince Kung be restored to favor and have the entree of the palace as formerly, and let him resume his post as chief secretary of state for foreign affairs. Henceforth he will feel that he must diligently exert himself to show his sense of this leniency, and carefully execute all the commands we lay upon him. Let all high officers, on whom devolve the weighty responsibilities of state affairs, likewise feel that they must with loyalty and purity of heart aid in managing the difficult affairs of the present time; let them not cherish any suspicion on account of recent events, nor shirk labors because they are arduous, so that further evils arise through their indifference.

"Let this declaration be made known to all our ministers in the capital. From the Emperor."

Mr. Burlingame to Mr. Seward.

No. 111.] LEGATION OF THE UNITED STATES,
Peking, [without date, received August 12, 1865.]

SIR: The enclosed communication of December 8, 1864, from the Chinese government, notifying me of the payment in full of the indemnity for the claims of our citizens, has been detained for the reports of the consul at Canton, and the depositary informing me of the receipt of the money, and present position of the fund. The liquidation of this indemnity is creditable to this government, and I have now only the further duty to report to you the present condition of the surplus as made out by the depositary. The account of Messrs. Olyphant & Co. is enclosed, giving a summary of the receipts and payments from the beginning, which is all that you require; and I willingly add my most decisive testimony to their judgment, accuracy, and diligence in the management of this fund during the six years which have elapsed since payments began upon it.

With their account I also transmit the several vouchers for the payments to the claimants and their individual receipts for the dividends paid to them through the depositary; the lists and nature of the claims have already been sent to the department by the commission of claims in 1860. Since this commission closed its labors in January, 1860, and sent its report to Washington, one case has come before me for payment which was so clear that I could have no doubt about the propriety of paying it, and have accordingly done so. It is the claim of the late Mr. Rooney, formerly master of the bark Caldera, now proved by his brother and heir to have been a naturalized citizen of the United States at the time of his losses. I enclose copies of the documents necessary to illustrate the case, which was the only claim filed in the legation up to December, 1859, that could not be decided by the commission. There is, therefore, no other demand that can ever come up for payment out of this indemnity fund which has not been examined and decided, and the act of Congress approved March 3, 1859, has been fully carried out in every particular. All that now remains is for the government to decide what shall be done with the surplus, and I hope that the plans and suggestions respecting this matter which I have made in previous despatches may meet with the approval of the department.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

Prince Kung, chief secretary of state for foreign affairs, herewith makes a communication relating to the indemnity paid to American merchants for their losses.

According to the arrangements made at Shanghai, in 1858, it was agreed that the sum of 500,000 taels should be paid for this purpose, the money to be obtained by appropriating one-fifth of the receipts on imports, exports, and tonnage dues, (derived from American trade,) in the proportion of 300,000 taels from Canton, and 100,000 taels each from Fuhchan and Shanghai, which amounts were to be collected by successive deductions until the whole was paid up.

By a despatch just received from the Imperial Commissioner Li, I am informed "that the indemnity due to American merchants for losses amounting to 500,000 taels, which began to be collected in February, 1859, by deducting one-fifth from the receipts on imports, exports, and tonnage dues, (derived from American trade,) has now all been paid up, in conformity to the original arrangement, by deducting 300,000 taels at Canton, and 100,000 taels, each, at Fuhchan and Shanghai, and the debentures first issued have all been returned."

I have therefore the honor to inform your excellency of the above despatch, that you may verify the facts stated of the completion of the arrangement respecting the indemnity.

His Excellency ANSON BURLINGAME,
United States Minister.

DECEMBER 6, 1864, (Tungchi, third year, eleventh moon, eighth day.)

Olyphant & Co. to Mr. Burlingame.

HONG KONG, *May 4*, 1865.

SIR: We have the honor to hand you herewith a final statement of the "United States indemnity fund," in account with ourselves as receivers, by which you will note that we have received from the Chinese government, as indemnity—

Taels 500,000, representing		$735,238 97
Interest on current deposits of the above		2,440 98
Interest on special deposit		3,040 00
Amounting to		740,719 95
Out of which we have paid—		
To claimants	$489,694 78	
M. Rooney's claim	3,040 00	
Sundry charges	894 18	
Our commission	18,508 01	
And deposited in the Oriental Bank Corporation, at Hong Kong, as per accompanying memorandum of receipts, marked A	220,000 00	
		732,136 97
Leaving a balance in our hands subject to your order this date		8,582 98
We have also deposited, as per enclosed memorandum of receipts, marked B, with the Oriental Bank Corporation of Hong Kong, the sum of		$9,072 50
The same being interest paid us by the Oriental Bank Corporation on deposits, as per memorandum of receipts, marked A; and further hold the special receipt, No. 13-134, of that corporation for the sum of		1,510 29
Being amount of claim for flagstaff, and interest on same to August, 1863.		
There is, therefore, now in China, for account of the United States government, viz: Cash in our hands, as per account rendered herewith		8,582 98
Principal on deposit with the Oriental Bank Corporation, Hong Kong		220,000 00
Interest on deposit with the Oriental Bank Corporation		9,072 50
Amount of claim and interest for flagstaff on deposit, Oriental Bank Corporation		1,510 29
Amounting to		239,165 77

Of which sum the above-named deposits with the Oriental Bank Corporation bear interest at the rate of five per cent. per annum, and are held, as per receipts in our possession, subject to "the order of the United States minister to China, or chief diplomatic officer of the United States in China for the time being."

Trusting your excellency will find the above accounts in order, we have the honor to remain, sir, your most obedient servants,

OLYPHANT & CO.

His Excellency Hon. ANSON BURLINGAME,
United States Minister to China, &c., &c., &c.

A.

Memorandum of receipts held by the undersigned for United States indemnity funds deposited with the Oriental Bank Corporation, Hong Kong.

Date.	Number.	Amount.
1862.—April 16	12–80	$20,000
May 31	12–101	40,000
September 2	12–178	25,000
1863.—March 9	13–42	10,000
March 23	13–58	10,000
May 13	13–87	20,000
May 27	13–93	10,000
June 16	13–110	10,000
July 20	13–126	8,000
December 21	13–222	15,000
1864.—April 18	14–75	7,000
June 16	14–121	8,000
October 28	14–202	37,000
		220,000

O. & CO.

B.

Memorandum of receipts held by the undersigned for interest paid by and redeposited with the Oriental Bank Corporation, Hong Kong, on account of the within named deposit receipts.

1863.

Aug. 3, No. 13–135 for $1,000 00; being int. on receipt No. 12–80, for 1 year to Apl. 16, '63.
13–136 for 2,000 00 " " " 12–101 " May 31, '63.
Dec. 22, No. 13–223 for 1,250 00 " " " 12–178 " Sept. 2, '63.

1864.

Ap'l. 20, No. 14–78 for 500 00 " int. on receipt No. 13–42 for 1 year to March 9, '64.
14–79 for 500 00 " " " 13–58 " " 23, '64.
Oct. 12, No. 14–192 for 3,822 50 " " sundry receipts as per accompanying memorandum.

9,072 50

We also hold deposit receipt dated August 3, 1863, No. 13–134, for $1,510 29, being amount of claim for flagstaff $1,429 48
And interest to August 3, 1863 ..... 80 81

1,510 29

O. & CO.

United States indemnity account in account with Olyphant & Co., receivers.

DR.

To payment of claims of American citizens, for losses sustained by them in Canton, in 1856:

First dividend paid	$223,772 78
Second dividend paid	61,025 71
Third dividend paid	111,405 24
Fourth dividend paid	56,314 90
Fifth dividend paid	37,176 15
Total amount paid by dividends	489,694 78
To total amount deposited in the Oriental Bank Corporation in Hong Kong, to credit of United States minister to China	220,000 00

To paid Mr. Rooney's claim by order of his excellency Mr. Burlingame		3,040 00
Charges for collection—freight on Sycee received from coast ports	$494 88	
Dr. Williams's order for printing	232 56	
Dr. Williams's order on treasurer received	166 74	
		894 18
Commission, two and a half per cent. on amount collected as indemnity account, $740,720 35		18,508 01
May 4, 1865. To balance in hands of receivers, carried down		8,582 98
		740,719 95

Cr.

By total amount of indemnity money collected as follows:			
In Canton taels	300,000	equal in dollars	$445,748 07
In Foochan taels	100,000	"	139,936 55
In Shanghai taels	100,000	"	149,554 35
	500,000		735,238 97
As per accounts rendered January 4, 1862, June 30, and August 19, 1863, and October 27, 1864:			
By interest allowed by mercantile bank on deposits, as per our account rendered January 4, 1862			2,440 98
By amount of interest collected from Oriental Bank Corporation, Hong Kong			3,040 00
Total amount of collections			740,719 95
May 4, 1865. By balance brought down			$8,582 98

Errors excepted.
HONG KONG, *May* 4, 1865.

OLYPHANT & CO.

Mr. Burlingame to Mr. Seward.

No. 112.] SHANGHAI, *May* 7, 1865.

SIR: I have the honor to submit an account of my last interview with Prince Kung, prepared by Dr. Martin, who acted as interpreter with Dr. Williams, and who forwarded it to me at this place. It is so full that I content myself with sending it without further explanation than to inform you that the anxiety of the Chinese officials to relieve themselves from the charge of disrespect to the foreign legations grew out of a pressure we brought to bear upon them for closing one or two places against the legations. From the tenor of the despatches of one or two of my colleagues, they were left to infer that their action might lead to a withdrawal of good will; hence their desire, as expressed in their appended note, to have their intentions explained.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

MR. BURLINGAME'S LAST INTERVIEW WITH PRINCE KUNG AND THE OFFICERS OF THE FOREIGN BOARD.

I.—*Preliminary interview with Hangkee at the United States legation, February* 24, 1865.

HANGKEE. It is with much regret I learn your excellency is about to take leave of our capital. The prince regent entertains the same sentiment. He feels that he is losing a tried friend, and desires to give you an expression of regard by inviting you to a farewell entertainment. I am commissioned to inquire what day it would be convenient for you to meet his highness.

Mr. BURLINGAME. The kind feeling expressed by the prince and all the members of the foreign board I cordially reciprocate, and will be happy to call on his highness on either Wednesday or Thursday of next week.

HANGKEE. In the case of other ministers we have always waited for a formal notice of their intended departure. In deviation from our customs, and coming beforehand to solicit the favor of your company, the prince is bestowing a special mark of confidence and respect. He has not forgotten the numerous instances in which you have employed your good offices in our favor; of which not the least was your aid in relieving us of our embarrassment with the English flotilla.

Mr. BURLINGAME. Perhaps I may still have the opportunity of rendering you some other service after leaving your shores; and you may rest assured that I shall always be happy to promote the welfare of your empire by all the means within my power.

HANGKEE. It would be gratifying to us if your excellency could delay your journey long enough to be present at a review of the troops we have had trained in the foreign drill.

Mr. BURLINGAME. If I cannot, I assure you it will not be from any want of interest in that enterprise, for I look upon the introduction of foreign arms and discipline as a measure of the first importance for the security of the empire.

HANGKEE. In organizing this force, our first object is the restoration of order in our interior provinces. Our next is the protection of our seaports and of our foreign trade.

Mr. BURLINGAME. Allow me to give you a parting suggestion in regard to the officering of these troops. Let foreign officers be employed to drill them thoroughly in camps of instruction, but let none but natives lead them in the field. You will thus avoid international jealousies, and save yourselves from endless embarrassment.

HANGKEE. The British chargé, Mr. Wade, gives us the same counsel. As to the necessity for introducing foreign discipline, I was deeply convinced the first time I saw a review of foreign troops, which was at Canton, some years ago. I was stationed there as port collector, and sent up many memorials in respect to foreign officers. My counsels were defeated for the time by those ambitious princes, Suschur and Twantiwa, (put to death in 1861;) but they have been acted upon since the reins of power came into the hands of Prince Kung.

But, to change the subject, have you heard that a couple of Englishmen committed acts of violence, a few days ago, at the Temple of Everlasting Peace, beating the gate-keepers, and breaking a lock in order to effect an entrance?

Mr. BURLINGAME. Yes; I am acquainted with the facts. It was a gross outrage, and I have reason to believe that Mr. Wade himself views it in that light. I have no doubt he will bring the offenders to justice.

HANGKEE. I know he has despatched officers to apprehend them, but he throws the blame of the occurrence on us, because, forsooth, we put locks on the gates of our sacred places, instead of allowing them to stand open for the gratification of promiscuous visitors. He even seizes on this occasion, inopportune as it is, to press a demand for the removal of such restrictions. This is just as if an Englishman should cut a Chinaman across the neck, and Mr. Wade, while profuse in his regrets for the unfortunate occurrence, should recommend us to wear iron collars as a safeguard. Or I may give you another illustration, more amusing, but not less truthful. This appendage (holding up his cue) you are not accustomed to wear, and deem it of little value, while we regard it as the very seal of honor. A man who loses it is disgraced forever, and one who cuts off the cue of another is liable to be punished with banishment. Now, suppose an Englishman had cut off the cue of one of our people, Mr. Wade would admit he had no right to do so. But what if he should proceed to counsel us to cut off all our cues, and dispense with a useless member, as the best means for securing ourselves against future insults?

The conversation threatening to become personal, Mr. Burlingame declined to pursue it in that direction, but availed himself of the introduction of the subject to bring forward some suggestions of a general character. They related to three points—the sovereign right of the Chinese government to legislate on its own domestic affairs, the importance of comity and generosity in international intercourse, and wisdom of dealing with individual peculiarities. Under the first he remarked that the Chinese had an undoubted right to withdraw from us every privilege not expressed or implied in the stipulation of the treaties. But would it be either wise or honorable to press their authority to its extreme limit? Under the second he dwelt especially on the privileges usually conceded to diplomatic persons, and intimated that, though the public generally might be excluded from their several places, it might not be improper to make some exceptions in favor of envoys and their suites. And, in the third place, he assured them that Mr. Wade is, at heart, one of their best friends, and advised them to comply with his wishes as far as possible.

HANGKEE, (after noting down these leading ideas.) We are liberal in the concession of privileges, and we have no wish to retract them; but some of those which are demanded we cannot by any possibility comply with.

In regard to some of these several places, we cannot even make an exception in favor of envoys; nor is this owing to any want of respect as an evidence of the great honor we put on the office of an ambassador. I may remark that though none of us dare stand or sit on

the same level with Prince Kung, yet his Highness holds intercourse on terms of equality with representatives of the treaty powers.

Our sentiments are identical with yours, though they are expressed by different signs; and our religious principles are the same as yours, though they are clothed in different forms—*i. e.*, what you mean by "Lord" we call Heaven. It is not a firmament of stone or vapor that we worship, but the Spirit who dwells in Heaven. In the popular idolatry we put no faith whatever; but the Emperor makes us use it, as an auxiliary power in governing the people. The teachers of every creed agreed as to the principles of virtue; any one of these systems will suffice to deter men from the perpetration of secret crimes, which the law of the land would be powerless to prevent.

Mr. BURLINGAME. You are right in extending the freest toleration to every form of religion. All truth is in one, and in the end the truth will entirely prevail.

HANGKEE. As a proof of our liberality, I may mention that we are even now inviting Christian missionaries to become the teachers of our children; and if Christian churches ever produce better citizens than Buddhist, or Christian schools better scholars than the Confucionists, we shall gladly acknowledge their work. Our Emperor's respect for the forms, and unwillingness to allow their temples to be invaded, is neither superstition nor intolerance, but merely a politic arrangement by which he holds the Tartar tribes in willing subjection.

In conclusion, Hangkee begged Mr. Burlingame to use his influence to induce Mr. Wade to withdraw his demand, or at least to defer pressing it.

II.—*Interview with Prince Kung, at the Foreign Office, March* 3, 1865.

Mr. BURLINGAME. In taking leave of your Highness, it is pleasant to recollect the kindness and confidence with which I have been treated by your government since my residence among you.

PRINCE KUNG. It is not without sincere regret that we part with one whom we have found to be our true friend, and I cannot refrain from asking is it necessary that you should leave us? Are you recalled by the authority of your sovereign?

Mr. BURLINGAME. I am going home on temporary leave.

PRINCE KUNG. O, then we may expect to see you back again. Your President has a second term, and you ought to have another; as the books say, we like to change our clothes, but not our friends.

Mr. BURLINGAME. I certainly would return if I thought I could render your government any signal service.

PRINCE KUNG. But we will take no denial. We wish you to pledge yourself to return to us. If you are willing to resume your mission, you will join me in draining a glass in token of consent. (Mr. Burlingame, after a brief pause, takes the glass.) The covenant is ratified; friends are not allowed to forget a promise sealed by a glass of wine.

Mr. BURLINGAME. Perhaps, in my absence, I may serve you as effectually as I could if I were here.

PRINCE KUNG. We have been indebted to you on many occasions, and especially with regard to the English flotilla.

III.—*Conversation with Tung Ta-jen, at the legation, March* 6, 1865.

The day being slightly overcast, Prince Kung supposed it would be unsuitable for taking a sun picture, and deferred his visit until the next day. At an early hour, however, Tung-Seun came in; somewhat late he was joined by Hangkee and Chunlun. Before the arrival of the two last Mr. Burlingame gave Tung Ta-jen a few hints for the benefit of his government.

In the event, he said, of difficulties arising between the Chinese government and any representative of a foreign power, there were two methods by which they might be prevented from issuing in serious consequences

1. To make sure that they were in the right, and then to send copies of the whole correspondence to each of the other resident ministers, with a request that it might be published in their respective countries. The fear of public opinion would prove a wholesome safeguard against violent or unjustifiable proceedings.

2. To send a diplomatic mission to the west. Both of these Mr. Burlingame illustrated with considerable detail, and Tung Ta-jen appeared to appreciate their value.

In regard to the last, he remarked that his government is convinced of the necessity of sending envoys to western nations, and that some of the youth in the government school now receiving instruction from Tien Sien Hang (Dr. Martin) were expected to become qualified for serving as interpreters and secretaries to such embassies. Mr. Burlingame closed the conversation on this topic by wishing Tung the good fortune to be appointed chief of the first embassy to the western world. Certain it is that few among its great officials would represent the empire with more intelligence or dignity, or be more disposed to profit by what they might see in foreign lands.

Tung has taken a leading part in promoting the publication of Dr. Martin's translation of

Wheaton's International Law, and gave its pages the benefit of his own finished scholarship. On this occasion, when three mandarins sat for their photographs, Tung held in his hand a volume of the Chinese Wheaton, apparently ambitious of having his name associated with this work.

TUNG TA-JEN. You will be able to speak a word in our behalf, and correct misapprehensions that may exist concerning us in the countries through which you pass.

WEUSIANG. An impression seems to have gone abroad that we treat the envoys of foreign powers with a want of consideration. You will be able to testify that we heap on them all the attention which it is possible for us to bestow on our most honored guests.

TUNG TA-JEN. This impression has arisen from some of them having asked concessions which are contrary to our customs, and which we hesitated to comply with.

PRINCE KUNG. On many points our customs and those of the west are at variance so widely that is impossible to reconcile them.

TUNG TA-JEN. The ancient sages made it a maxim, when they visited a foreign state, to make careful inquiries, lest by chance they should transgress some of its prohibitions, or enter some places to which they were not allowed access.

Mr. BURLINGAME. I know what you refer to, and regret that there should be any misunderstanding in regard to it. It is not for me or any other foreign minister to dictate your internal policy, but a magnanimous and generous course will do most to extend your reputation and conciliate the good will of foreign countries.

WEUSIANG. The Prince's policy has never been otherwise than liberal and magnanimous.

Mr. BURLINGAME. If, however, a case should occur in which you find it impossible to agree with the envoy of any nation, I am satisfied it would always be safe for you to submit the question to the judgment of a third party, and America, you know, is bound by treaty stipulation to act as your umpire in cases of international difficulty.

WEUSIANG. You are right in saying that we should be safe in submitting such questions, because we certainly should not venture to refer them to arbitrators unless we were sure of the soundness of our own position.

Mr. BURLINGAME. On the occurrence of such disputes you would do well to guard against mistaking an impatient or imperious manner for indications of hostile feeling. The kindest feelings are not inconsistent with some degree of outward irritation.

PRINCE KUNG. That is the reason why the ancients have cautioned us not to judge men by their outward aspect.

Mr. BURLINGAME. In leaving your capital I have great pleasure in assuring your Highness that you will find in Dr. Williams, whom I leave to act in my stead, a true friend, on whom you may rely at all times—one who has devoted his life to the good of China.

PRINCE KUNG. Dr. Williams has been known to us for many years. He stands in no need of recommendation. We greatly prefer him to any stranger you might send us.

HANGKEE. He is patient and considerate. On one occasion we spent four hours at a stretch consulting with him on a single subject.

Mr. BURLINGAME. May I inquire for the health of his Majesty?

PRINCE KUNG. Be kind enough when you see the President to inform him that we return the compliment.

Mr. Burlingame now took leave, after fixing on a day for the Prince to make a farewell visit at the legation and arranging to have the Prince's likeness taken on that occasion.

IV.—*The Prince at the legation, March* 7, 1865.

The Prince came, attended by all the members of the foreign board except one, who is at present somewhat under a cloud. He remained there three or four hours, but the time being consumed in having the likeness of himself and suite taken by Dr. Pogochoff, of the Russian legation, little was said worth recording. An incident, however, not unworthy of note, which offered us a pleasant relief from the commonplace of official visits and the monotony of business, was a poetical contest between two of the Prince's most distinguished followers—one a Chinese and the other a Manchu. Prince Kung having his attention attracted by a book of engravings, was desirous of knowing their meaning; and when told that each one was the subject of an ode, which was printed on the opposite page, he requested to hear the translation of one of these odes. Its leading ideas having been rendered orally by Dr. Martin, the Prince ordered Tung Seun to turn it into Chinese verse. Tung was not long in executing his task, and his neat little ode turned into English prose reads as follows:

FORGET ME NOT.

(Describing a picture.)

Two girls on shipboard sing a parting song: "Hearts are deep or shallow, constant or feeble: say not that friends are all alike;

For the true friend is only he
Of deep and enduring sympathy."

The Prince seemed pleased with the performance, and called for another ode, commanding Pan Yuen, a Manchu, and one of the highest officials in the government, to try his talent at verse. Pan's subject, selected by the Prince, was

THE WATER LILY.

(Also describing a picture.)

The theme was not so appropriate for the occasion, but in poetical merit his production was not inferior to that of his Chinese antagonist; it was as follows:

"We dwell together in a flowery clime;
The Red Lotus and White Lily,
Are alternate, trained about our bower.
It surpasses the fabled haunts of the Genii,
And the leaf of the Sacred Lily
Attests that we are children of immortality."

On taking leave, Prince Kung again reminded Mr. Burlingame how much he expected from the favorable representations he might be able to make in the different countries through which he would pass on his voyage homeward, and requested that he would allow three of the members of the foreign board to call again the next day.

V.—*Visit of Weusiang, Tung, and Hangkee, to the legation, 8th*, 1865.

These officers came, in accordance with their arrangement of the preceding day, and Mr. Burlingame commenced the conversation by producing a circular letter which he had published for the direction of our consuls in China. A part of this was rendered into Chinese, in their hearing, that they might gather from it the leading principles of a policy agreed upon by the ministers of the treaty powers. It contains the following paragraphs:

"You will perceive that we are making an effort to substitute fair diplomatic action in China for force; that we seek to do justice that we may have justice, and thus co-operation becomes the rule in carrying out these relations.

"The policy is briefly this: To consult and co-operate in all material questions; to defend the treaty ports so far as shall be necessary to maintain our treaty rights; to support the foreign customs service in a pure administration, and upon a cosmopolitan basis; to encourage the Chinese government in its efforts to maintain order; to neither ask for, nor take concession of, territory in the treaty ports, nor in any manner to interfere with the jurisdiction of the Chinese government over its own people; nor even menace the territorial integrity of the Chinese empire."

These sentiments the Mandarins carefully copied, remarking that they quite anticipated the object of their visit, and comprehended the topic on which they had desired to confer. They accordingly soon took their leave, but not until they had placed in the hands of Mr. Burlingame a memorandum, once more protesting their innocence of any disrespect towards any foreign ministers, and again invoking his aid in correcting misapprehensions which might exist in countries he was to pass through.

Hangkee declared that, while the Chinese government treats all the ministers with respect, it had never given such a demonstration as in the present instance, in which the Prince Kung, and the highest officials had waited day after day at the American legation, and Weusiang and Tung, in parting with Mr. Burlingame, quoted the last line of Tung's sentimental ode—

"For the true friend is only he
Of deep and enduring sympathy."

P. S.—The undersigned having acted as special interpreter on this occasion, has made the preceding notes from memory, and believes them to be substantially correct.

W. A. B. MARTIN.

PEKING, *March* 27, 1865.

NOTE FROM WEUSIANG, TUNGSIEN, AND HANGKEE.

The Chinese government would not presume to treat anybody with disrespect, and their conduct towards the ministers from foreign countries has been even more respectful, and has been in the highest degree such as holds between equals. If we, as Chinese officers, should fail to treat them as we would honored guests, our minds would not be easy, (*i. e.* we should reproach ourselves for want of courtesy.) However, seeing that the customs of various nations differ more or less, and fearful that some of those who have intercourse with China may have the idea that she has not fulfilled all that courtesy requires, we very particularly request your excellency, on your way to the United States, to speak in our behalf in this respect to those various nations, and clearly explain to them that the Chinese government has not the least intention to trespass the rules of courtesy in their intercourse with them.

Mr. Williams to Mr. Seward.

No. 1.] LEGATION OF THE UNITED STATES,
Peking, May 25, 1865.

SIR: I have the honor to inform you that I have this day received a notice from Mr. Burlingame, dated May 6, stating that he placed me "in charge of the legation of the United States in China, and authorized you [me] to conduct the same during my [his] absence, or until the wishes of the government may be further known."

I have accordingly notified the Chinese authorities that I have taken charge of the legation. It is the fourth time I have held the position since my appointment in 1855.

The only topic of interest since Mr. Burlingame's despatches Nos. 107 and 109, to which I beg to refer in this connexion, is the restoration of Prince Kung to a seat in the general council, (enclosure A,) by an imperial edict, which, like the previous ones, is illustrative of Chinese character and politics, and will, no doubt, interest you. Previous to it, three papers connected with the affair appeared in the Gazette, consisting of the reports of high officers designated to examine those who were implicated by the original accusation. All were exonerated from blame for lack of proof, especially Sieh Hwan and Lin Yung, who retain their posts, while the original memorialist, Tsai Shaw-ki, has suffered degradation and obloquy.

It may be well to explain that the general council, to which Prince Kung has been restored, is the chief executive body in the empire, and consists of such officers only as are designated by his Majesty from various departments to attend to it, who, *ex officio*, are entitled to see him. The number of members is irregular, seldom exceeding eight, and of course during the present minority its chairman, as Prince Kung might have been called, becomes the leading man in the country.

One of the Chinese generals, Sankolin-sin, who was in command at Taku in May, 1859, and also opposed the march of the allies to Peking in 1860, was killed by the insurgents in the south of this province a week ago. He was a Mongolian prince of distinction, and one of the best soldiers the Chinese had. Although Nanking has been recaptured, the insurrection has not been yet suppressed; large bodies of insurgents still defy the government.

I have the honor to be, sir, your obedient servant,

S. WELLS WILLIAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State.

A.

[Translation.]

An imperial edict, published May 9, 1865.

We have been honored by the maternal and gracious commands of their Majesties the Empress Regents Ngan and Hi, as follows:

"At the audience held this day Prince Kung, having been allowed to appear to return thanks for favors granted him prostrated himself to the ground, weeping bitterly, as if he had no way to conceal his mortification. We then personally admonished and warned him, and the prince expressed himself to be deeply sensible of the grievous faults into which he had been led, and sincerely repentant and ashamed of his past conduct. It excited the utmost commiseration in our hearts.

"We recalled to mind that since we had assumed direction of the government, Prince Kung had been specially selected as the chief adviser of the throne in the general council of state; he has been for many years the recipient of unnumbered favors, and to him alone was confided a trust that, as it were, identified him in our weal and woe in all that pertained to

state affairs, giving him a status which no other officer in the realm could approach. It was owing to this high position that he became the object of misrepresentation, and consequently he himself occasionally failed in restraining himself, but walked in the paths of error and wrong-doing.

"Since, therefore, our hopes of the prince were of the very highest degree, we could do no otherwise when he acted wrong than reprimand and punish him severely. He has now himself come to a sense of this conduct towards him, and has resolved to amend his errors and reform. Seeing, therefore, that in the appointment and dismissal of officers, their promotion and degradation, at court and in the provinces, everything is done openly and fairly without favoritism or dislike, can it be supposed that one who has been so near to us and so trusted as Prince Kung, who has held such weighty responsibilities, and whose talents are so well fitted for assisting in the administration, should be treated in any other than according to these unwavering principles, and be compelled to pass his days in ignoble retirement and sloth?

"Let Prince Kung, therefore, again take his place in the general council to assist in its proceedings, though, in some measure to mark our sense of his demerit, it is inexpedient to give him the title of I-ching, (adviser of the government.) Oh, prince! forget not the sorrow and mortification which you have this day suffered. Let your entire efforts be exerted still more than ever to manifest your devotion to the public welfare, that thereby you may requite the confidence now reposed in you, as has been your wont. Do not hesitate to speak openly and fearlessly, but be specially careful not to evade the duties belonging to you nor collude with others. In this way alone can you fully satisfy our high expectations."

This from the Emperor.

Mr. Hunter to Mr. Burlingame.

No. 138.] DEPARTMENT OF STATE,
Washington, June 5, 1865.

SIR: I have received your despatch of the 4th of March, No. 99, containing a statement of your proceedings with regard to Señor Sinibaldo de Mas, the Spanish minister, who visited China during the past year for the purpose of concluding a treaty with that government. Your action in the premises is fully approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

ANSON BURLINGAME, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Burlingame.

No. 139.] DEPARTMENT OF STATE,
Washington, June 5, 1865.

SIR: I have to acknowledge the receipt of your despatch of the 11th of March, No. 103, together with a copy of an imperial decree made in response to complaints by the British representative, Mr. Wade, in consequence of the failure of the Chinese local authorities to fulfil their treaty obligations, which resulted in the death of one British and three Prussian subjects.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

ANSON BURLINGAME, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Burlingame.

No. 141.] DEPARTMENT OF STATE,
Washington, June 6, 1865.

SIR: Your despatch No. 102, of the 11th of March last, and its accompaniments, relative to the prohibitions that exist in China against entering forbidden places, have been received and are approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

ANSON BURLINGAME, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Burlingame.

No. 143.] DEPARTMENT OF STATE,
Washington, June 6, 1865.

SIR: Your despatch of the 7th of March last, No. 100, with its accompanying copies of a correspondence in the case of Mr. Mills, who appears to have rented a house in Tangchau, thereby exceeding the privileges accorded to foreigners by the treaty, has been received, and your proceedings in the matter are approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

ANSON BURLINGAME, Esq., *&c., &c., &c.*

Mr. Williams to Mr. Seward.

No. 3.] LEGATION OF THE UNITED STATES,
Peking, June 26, 1865.

SIR: A case has just been brought before this legation by the Chinese government, which involves so many questions of international obligation that I have deemed it to be due alike to our own position as a nation and to the safety of this people, and to satisfy its officers that we are desirous to protect and aid them as far as possible against our own evil-minded citizens, to refer its decision to the department.

Referring you to Mr. Burlingame's despatches, No. 44, of June 23, 1863, and No. 81, of June 4, 1864, and their enclosures, which should be read in this connexion to obtain the previous history of Burgevine, I now add such particulars as I can learn of his proceedings up to the time of his arrest.

A few days after the despatch No. 81 had been sent away last year, it was reported that Burgevine had stolen back into the country at Ningpo; but the correspondence which took place thereupon (enclosures A and B) gives no idea of the alarm which filled the minds of the high officers here at this news, for they were convinced that no sense of obligation or honor had power any longer to restrain him. So completely did he elude detection, however, that it was concluded that he had died or met a violent end. But last month he reappeared off Formosa, where he had gone from the main land. I insert an extract from a despatch of R. Swinhoe, her Britannic Majesty's consul at Formosa, dated May 15, kindly furnished me by T. F. Wade, C. B., the chargé d'affaires of her Majesty in Peking, stating the following particulars:

"Troubles still continue in Chang-hwa, and rumors of mandarin slaughter frequently reach us. * * * * * Another cause of alarm has lately much troubled the authorities. An American schooner, the General Sherman, arrived at Ta-kow, in Taiwan-fu, with Burgevine and some others on board. They had been trying to get to the Changchau rebels via Ting San, at which port the vessel was seized by the customs schooner Vindex and taken to Amoy. She had no contraband of war on board, and was released. But Burgevine was on board, and no one recognized him. After dodging about the channel for some twenty days she put across here, and finally entered Takow, inquiring for a cargo. The mandarins were informed of the dangerous arrival by Mr. Commissioner Maxwell, and ever since communications have been pouring in asking for my assistance. I was at Tai-wan-fu when this vessel arrived, and she had departed before I got back. I am told that the magistrate of Fungshau made his appearance here with two hundred braves, and was for going on board to seize; but this, of course, Mr. Maxwell prevented, the only precaution being

taken that none of the suspicious characters were allowed to land. The schooner was refused a cargo, and she returned to Amoy.

The despatch of Prince Kung (enclosure C) gave me the first authentic information of Burgevine's arrest. I have not received Mr. Irwin's report, and I learned the same day that the British legation had received full particulars of the arrest of Culling, an Englishman, taken at the same time, and soon after given up to the British consul for trial. It is apparent, from this despatch, that the imperial government is determined to do whatever it can to stop this man's further schemes to injure it, and it must be granted that the provocation has been very great.

Before answering the communication I deemed it best to confer with the members of the Foreign Office, to learn their views, and found that they regarded Burgevine as entirely their prisoner, alleging that Mr. Burlingame had yielded all claim over him if he should again be taken in the Emperor's dominions. They were inclined to show him the less mercy because he had confessed to the commander-in-chief, when brought before him, that he intended to enter that city, if possible, to help the insurgents. I replied that none of Mr. Burlingame's despatches at all supported their inference that he had yielded his authority in this case, though the expression "severely dealt with" might involve the extreme penalty of the law to be inflicted, but not by the Chinese authorities.

The case presented peculiar difficulties. On the one hand, while section fifteen of the act of Congress of June 22, 1860, makes rebellion against the Chinese government, with intent to subvert the same, a capital offence, it would be almost impossible to convict this man. If he was tried for his previous acts in joining the rebels at Suchau, and his subsequent connexion with them near Shanghai, the absence or death of important witnesses would render conviction, according to our laws, very difficult. On the present occasion he was taken when in company with a British subject, before they had actually joined the rebels, though I suppose there is no doubt that such was their intention.

On the other hand, it is very desirable to give every assurance to this government that no effort shall be spared on our part to aid it in preventing our citizens joining the rebels, or furnishing them with arms or ammunition; and also no trifling with justice, in punishing those who have given them aid and comfort. It justly demands it; and while we promise to do what is right, we often find our actual means inadequate to carry our purpose into effect along such an extended coast as this. Burgevine had shown a settled determination to do the Chinese authorities all the harm he can, and they have now stopped his career, as he was on the point of accomplishing his purpose. They expressed themselves willing to surrender him to the consul for trial, if I would assure them beforehand that he should be executed for the crime of rebellion; but as I could not do this, I endeavored to explain to them some of our modes of procedure on trials, in order to show that it was not from a desire to let him escape.

In order to show that I wished to do what would secure the ends of justice, I then proposed to the officials to leave Burgevine in their hands as a prisoner, on the ground that he had formerly held office under them, while I referred the case to Washington. They consented, after some discussion, and I accordingly replied the next day to the Prince's despatch, (enclosure D,) recapitulating some of the leading points of the discussion, and maintaining that rights guaranteed by the treaty were not yielded. I have not yet received a reply to this communication, nor have I any authentic information regarding the disposal of their prisoner by the provincial authorities after they had taken him to Fuhchau.

I beg most respectfully to lay this appeal before you for advice or decision, and I think you will not deem it strange that cases may arise, under the régime of ex-territoriality, presenting peculiar features to be considered and decided by the highest authority. In the opinion of the Chinese, Burgevine's criminality is aggravated by his having voluntarily offered to drill their troops under

General Ward, and received honor and commendation for his bravery and skill on many occasions. They entered into no stipulations with the United States authorities respecting his rights or position; and while they conveniently suppress all reference to the provocation he received, they see in it no justification for his turning traitor to the flag he served under, and joining their rebellious subjects. This offence was twice passed by, and he gave the consul general a solemn assurance that he would finally leave the country; otherwise he would have been tried for his life.

It appears to me that this fact of receiving official trusts and rewards from the Emperor does aggravate the offences of him who, to gratify a private pique, collects a band of foreigners and leads them off to fight his former masters. The report that the rebels at Suchau in 1864 suspected his fidelity to them is not improbable; but he seems to have thought it indifferent which side he took.

By leaving him in the hands of the Chinese his detention devolves on them until your reply is received, whether or not he has forfeited his claim for protection. I do not apprehend that he will be injured while in their hands, and when I proposed to pay the expenses of his imprisonment they declined to discuss the point. I insisted at first that the United States consul should see after his condition, but as they wished to remove him from the sea-coast, and had fears that such communications might afford an opportunity for escape or collusion, I agreed to their assurance of his safe-keeping.

I am under the strong impression that this man's conduct has been a reproach to the fair name of all western nations; for all other foreigners, so far as I know, who commanded the imperialists, have acted honorably in this particular, leaving the service if they were dissatisfied, and not turning against it. I am mortified that an American should have held this bad position; and Burgevine thought that his own country would protect him, perhaps, and that his life was safe from judicial condemnation. If I am rightly informed, he once aided Walker in Central America, and was included in the sentence of outlawry.

I do not think that the Chinese government will quote this case as a precedent to refuse the surrender of other prisoners who may be captured when aiding the rebels; for you will see from enclosures E, F and G, that three or four other Americans taken about the same time near Amoy have been given up to the consul, and the officials here have expressed themselves satisfied with deportation. But how can we secure that these men will not return to try again to join the rebels? The Chinese usually destroy their own subjects taken in arms, whose rebellion is often prolonged and energized by the aid and skill of foreigners. By yielding this prisoner to them, the example will deter others from trespassing so far on the rights of Americans as to stir up sedition, trusting to the want of witnesses and other legal proof to escape condemnation.

Cases have already occurred in China of aggravated manslaughter, and even of deliberate killing of the natives by foreigners, whose crimes have been punished by simple fines or mere deportation or short imprisonment; while foreigners strenuously insist on full justice when life is taken by the natives, or maiming with intent to kill. Such deeds are happily diminishing, as foreigners are learning that they cannot so easily escape justice, and the native officials are becoming more willing to co-operate in maintaining peace. The difficulties of independent nationalities exercising collateral jurisdiction in the same region are likely to increase almost to a state of hostility, if the original native power feels that its rights and safety are continually jeopardized by the insufficient restraint of the foreign powers over their own subjects, who constantly plead their own laws and escape the consequences that overtake the natives for the same offence.

As this case involved some questions of general interest, I early consulted with Mr. Wade upon the propriety of this disposal of Burgevine, and found that his views coincided with my own as to the importance of assuring this government that in some way it should be secured against his further machinations,

and that a reference of the case to Washington was, under the circumstances, the preferable course to take.

I have the honor to be, sir, your obedient servant,

S. WELLS WILLIAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington, D. C.

[Enclosure A.]

Mr. Burlingame to Prince Kung.

LEGATION OF THE UNITED STATES OF AMERICA,
Peking, June 23, 1865.

SIR: On the 3d of May last I had the honor to inform you that the United States consul general at Shanghai had reported his action in ordering General Burgevine to leave the country, and that he had already sailed, but, greatly to my surprise, I received a letter two days ago from the same officer, dated the 13th instant, in which he informs me that he had heard it reported that General Burgevine, in defiance of the laws of his country, had stealthily returned to China, acting most audaciously in so doing, but that he (the consul general) was using every effort to apprehend him and deal with him severely.

It certainly shows a reckless disregard of all honor and propriety for this man thus to steal back into the country after having left it as he did, and I have this day written to the consul general at Shanghai, urging him to adopt every possible means to have General Burgevine arrested and dealt with severely. It is for this purpose that I have made this communication; and have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

His Imperial Highness PRINCE KUNG, *&c.*, *&c.*

B.

Prince Kung to Mr. Burlingame.

[Translation.]

JUNE 27, 1865. (*Tungchi, 3d year, 5th moon, 24th day.*)

Prince Kung, chief secretary for foreign affairs, herewith makes a communication in reply:

I have received your excellency's despatch of the 23d instant, in which you inform me that General Burgevine, though he had been ordered to leave the country, had returned here in a stealthy manner, audaciously setting the laws of his country at defiance by so doing, but that you had at that moment sent instructions to the consul at Shanghai to take every measure to seize and punish him severely.

This man deserves the severest punishment by the laws of China for the injury he has done to her; and both your excellency and myself have repeatedly treated him with leniency, even beyond the limits of law, by ordering him to depart the country and never return to stir up confusion. Our consideration towards him has been great, but he has no sentiment of regret for his misdeeds, and this contemptuous disregard for the laws of his own country, in stealing back to China, shows how unmindful he is of the singular kindness we have both shown him. His offences are such that it will be nearly impossible for him again to escape a merited end.

As your excellency has already sent orders to the consul general at Shanghai to exert himself to seize and punish General Burgevine, so have I also issued injunctions to the local authorities at every port to immediately co-operate and do what they can speedily to seize him, which is the purpose of this communication in reply.

His Excellency ANSON BURLINGAME, *United States Minister.*

C.

Prince Kung to Mr. Williams.

[Translation.]

JUNE 16, 1865. (*Tungchi, 4th year, 5th moon, 23d day.*)

Prince Kung, chief secretary of state for foreign affairs, herewith makes a communication:

On the 13th instant a despatch was received from Li, the superintendent of commerce at Shanghai, enclosing the following report from Kwoh, acting commander-in-chief in Fuhkien:

"Mr. Stanley, a foreigner who is engaged in drilling the troops, while off the port of Amoy, on the 13th ultimo, happened to observe Burgevine and an Englishman named Kihling

(Culling) on board of a schooner, and learned that they intended to go to Chang-chan-fu to join the rebels. He also ascertained afterwards that they had embarked for the city in a small boat, and stopped at a place called Chin-mun, about a league distant. Stanley thereupon sent a letter to the commissioner of customs at Amoy, who had himself just received a communication from the customs office in Formosa, stating that Burgevine had gone over to Amoy to join the rebels at Chang-chan, and he immediately despatched some of the foreign tide-waiters to go out in search of the two men. They were taken and carried prisoners to the camp of the commander-in-chief, and on being questioned by officers there, confessed that they intended to join the rebels, and so were sent on directly to his excellency Tso, the governor general of Fuhkien and Chehkiang, with the request that we would take the case in hand, execute Burgevine as a felon, justly obnoxious to the laws, and hand over the other man to his own consul for punishment."

The above, and another report which has been received from Mr. Hart, the inspector general, having reached me, (Prince Kung,) I find that this man Burgevine has broken the laws a great many times and ways. He has struck our officers and robbed our money. In 1864 he skulked off to Su-chan to join the Taiping insurgents, and help them with arms and supplies, &c. He committed piracy by seizing a steamer with which to resist his Majesty's forces. Now, for one who, like him, had taken an official salary from China, to voluntarily join the rebels was an act in violation of our laws, and it was a great disgrace to the fair fame of the United States also, and he well deserved to have been executed when he was arrested, or if he had been shot down by our troops it would have been no more than his crimes deserved. This was stated formerly in one of our despatches to Mr. Burlingame. But seeing that Colonel Gordon interceded for him at the time, and he himself expressed regret for his misdeeds and intended to reform, they were mildly inquired into, and I agreed with Mr. Burlingame to let him off from further inquiry, if he would leave China, never more to return. But in May, last year, it having been reported that Burgevine, utterly despising the laws of his own country, had stealthily returned to China, and proved in doing so that he had no regard for anything, Mr. Burlingame informed me that he had ordered the consul to seize and punish him, and I also enjoined our officers to take him wherever he could be found. He being set in his evil courses, has now tried to get into Amoy, and secretly join the insurgents in that region. His object from first to last is to injure China as much as he possibly can. He has neither respect nor dread of the laws and penalties of either his own country or of this, and is, as your excellency has truly observed, no longer to be regarded as an American who deserves to be protected.

While, therefore, the three criminals, Ward, Butler, and Carter, who were arrested at Chang-chan for aiding the rebels, shall be handed over to their consul, and the Englishman Culling will be delivered to the British consul, for the purpose of each of them being examined and punished as their cases deserve, Burgevine, who has been arrested as he was on his way to join the rebels, should be treated as before decided, and be now executed Such a course would please the minds of all, and deter other wicked men from similar conduct.

If hereafter other Americans should follow the same lawless course, and join the insurgents, I confidently trust that your excellency will give such orders to the United States consuls on the coast to exert themselves in assisting to arrest them as will strengthen the amicable relations now existing between our countries.

I shall expect a reply to this despatch.

His Excellency S. WELLS WILLIAMS, *United States Chargé d'Affaires.*

[Enclosure D.]

Mr. Williams to Prince Kung.

PEKING, *June* 21, 1865.

SIR: I have the honor to acknowledge the receipt of your Highness's despatch of the 16th instant, informing me that Burgevine, while on his way to join the insurgents at Changchan, had been seen by Stanley, and reported to the commissioner of customs at Amoy, who had immediately sent tide-waiters to search for him; and that they had arrested him and another foreigner, who had been given over to the charge of Kwoh, the commander-in-chief, and by him sent from the camp to the office of his excellency Tso, the governor general of Fuhkien and Chehkiang, to be immediately examined, requesting, at the same time, that he would carry out the law upon Burgevine in conformity to previous agreement, &c.

Since the receipt of your Highness's despatch of June 27, 1864, in which you stated that you had also issued injunctions to the local authorities in every port to co-operate in trying to seize him, that he might be severely punished, I have heard no tidings of Burgevine until this time, when his arrest is reported in the present despatch.

He having now been arrested as a criminal, it is required by the eleventh article of the treaty that he should be given up to the American consul, to be tried and punished; but when his repeated offences, and contemptuous disregard of the laws, both of the United States and China, are considered, all proving that he is reprobate to all good things, it is difficult to extenuate them.

I therefore request your Highness to detain this man in confinement in the country a few months, while I refer his case to my own government for instructions, stipulating in the distinctest manner that the officers in whose hands he is placed shall not injure or insult him in any way. In so doing, I will inform them of his whole conduct, especially that he has been in the service of the imperial government, but, by deserting and joining rebels in arms against it, he has lost his position, and forfeited all respect; and still more, by stealthily returning to China, the question arises whether his own authorities are bound any longer to protect him, and whether he should not be given up to be tried by Chinese laws.

As soon as I receive instructions how to dispose of this unusual case I will inform you; but this arrangement appears likely to uphold treaty stipulations, and, at the same time, afford security that the guilty shall not escape.

I have the honor to be, sir, your Highness's obedient servant,

S. WELLS WILLIAMS.

His Imperial Highness PRINCE KUNG, *&c., &c., &c.*

[Enclosure E.—Translation.]

Prince Kung to Mr. Burlingame.

MAY 4, 1865. (*Tangchi, 4th year, 4th moon, 4th day.*)

Prince Kung, chief secretary of state for foreign affairs, herewith makes a communication:

I yesterday received a despatch from Li, the imperial commissioner and governor of Kiang-su, at Shanghai, which contained the following extract from the report of Tsang, the intendant of the Hinghwa and Tsiuenchau circuit, then in charge of the military operations at Amoy:

"I have lately captured an insurgent, named Sie Ying-lung, and three foreigners, whom I have fully examined, and now forward their depositions, requesting you to look at them and furnish me with instructions how to act."

The governor then says: "I learn from the papers that one of these men named Hwarh (Ward) produced a passport which the American consul had furnished him, to go to Suchan, in Kiangsu. They further state that this man is an American, and in company with others named Puh-ti-lih, (Butler,) and Koh-teh-lih, (Carter,) had gone to Changchan, (a city near Amoy,) for the purpose of selling foreign arms [to the insurgents.] It was affirmed that the last two were also Americans, and they all confessed that they had gone to Changchan to sell foreign arms. I therefore forward the whole case to you."

I cannot but recall to mind the severe prohibitions existing against foreigners supplying rebels with arms, or assisting them at all, and that the same rule has long been embodied in the regulations for trade on the Yangtsz; and, furthermore, that in consequence of my reporting to your excellency that an American steamer had gone up to Nanking, in the winter of 1862, you replied, "The violation of treaty stipulations by this steamer is to be much regretted, and I shall carefully ascertain the facts, and punish her according to law. If others of my countrymen violate the rules and break the laws in this respect, I wish you to inform me at the time, and I will take due measures for their punishment."

In a case like this, where traders violate the rules, there is no need of you and I issuing one order after another about it; so if Hwarh (Ward) and the others have had the audacity to avail themselves of a passport for Kiangsee to slyly go on to Fuhkien and sell their arms to rebels in actual insurrection, it is plain that they intended to break the treaty and all the prohibitions which you have issued.

The intendant of circuit Tsang examined them all in company with the two commissioners, Messrs. Meritens and Hughes, and there is no kind of doubt of the fact that these men did sell foreign arms to the rebels and assist them by so doing, and should, therefore, be punished as the treaty requires, in order to deter others in future.

I have given directions to the local authorities to deal with the rebel Sie Ying-lung according to law, and now also inform your excellency of the circumstances connected with the charges against these three Americans of aiding rebels by selling them arms, to the end that you may send such instructions to the United States Consul Seward, to judge and punish them by American law, as are necessary. When the case is finished I wish you would inform me of the results.

His Excellency ANSON BURLINGAME,
United States Minister to China.

[Enclosure F.]

Mr. Burlingame to Prince Kung.

LEGATION OF THE UNITED STATES,
Peking, May 5, 1865.

SIR: Last month I was informed by Mr. Seward, United States consul general, that the Chinese officers had seized some native rebels and foreigners who had been found illegally

selling foreign arms to the people, and that the American consul at Amoy was about sending the foreigners to him to be tried before he had himself examined them.

I have now the honor to acknowledge the receipt of your despatch of yesterday, informing me of the arrest of the three Americans who were found selling arms to the rebels, and I shall direct the consul general to deal with them as the treaty requires, and punish them. As soon as I learn his action in the case, I shall inform your Highness of the same.

I have the honor to be, sir, your Highness's obedient servant,

ANSON BURLINGAME.

His Imperial Highness PRINCE KUNG, *&c., &c., &c.*

[Enclosure G.]

Mr. Williams to Prince Kung.

[Extracts.]

LEGATION OF THE UNITED STATES,
Peking, June 21, 1865.

SIR: Referring to his excellency Mr. Burlingame's despatch of the 5th ultimo, informing you that he would take the earliest day after learning the particulars of the case of Ward and others, who had been charged with selling arms to the rebels, to acquaint you with what had been done, I now have the honor to inform your Imperial Highness that Mr. Seward, United States consul general at Shanghai, has sent me the following report:

"In March last three Americans were arrested near Amoy, whose names were Edward E. Ward, John W. Butler and John Carter, and on April 1st a fourth, named Hillman, all of whom were forwarded to me by Mr. Irwin, United States consul at Amoy, for trial. On the passage up from Amoy, Butler was wounded on board ship and died from the effects of the wound at Ningpo. The other three on examination confessed that they had gone to Changchan, not to join the rebels, but only to help them as agents to purchase arms. They have all been straitly warned, and required to give bonds with sureties that they would leave the country, not again to come back, which they have done."

In communicating this information of the proceedings taken respecting these three men, it is proper to observe, that from it your Highness will see that the United States consuls at the ports are exerting themselves as far as possible to aid in arresting and punishing criminals, and thereby preserve the peace.

I have the honor to be your Imperial Highness's obedient servant,

S. WELLS WILLIAMS.

His Imperial Highness PRINCE KUNG, *&c., &c., &c.*

Mr. Williams to Mr. Seward.

[Extracts.]

No. 4.] LEGATION OF THE UNITED STATES,
Peking, July 11, 1865.

SIR: I have the honor to acknowledge the receipt of several despatches addressed to Mr. Burlingame, among them Nos. 123, 126, and 128, enclosing military circulars to the United States ministers in London and Paris; of No. 121, acknowledging receipt of rules for consular courts in China; of No. 125, referring to Mr. Walsh's notes upon steam communication between China and California; and of No. 127, being Mr. F. W. Seward's circular of April 10 respecting the sad accident which happened to you a few days previous, and from which I am happy to learn that you are likely to recover. * * *

Since my last the mail has brought full accounts of the lamentable assassination of our beloved President, and I have taken the telegraphic despatch of the Secretary of War, of April 16, to Mr. C. F. Adams, at London, which appeared in the English papers, as containing the principal facts, and have notified the Chinese government of this sad event. Prince Kung responded in a friendly spirit, (enclosures A and B.) Previous to this I had informed the Chinese officials of all the details then known respecting the occurrence.

The telegraph brought the first notice to Peking *via* Russia in forty days, but nearly a fortnight elapsed before further news arrived to induce us to believe that such a horrid deed could have been committed in the United States.

The contentment and joy caused by the previous news of the fall of Richmond and the surrender of Lee's army, foretokening the cessation of arms and final suppression of the rebellion and restoration of the Union, were turned into grief and indignation at learning that the President had been thus removed. All the Americans in Peking alike mourned his death, and all we could do was to pray that God, who had brought the nation to see the triumph of its arms against treason, would strengthen the national cause by leading to the adoption of those plans which would best uphold justice and best promote union.

The limits of a despatch will hardly allow me more than to add my tribute of admiration to the character of Mr. Lincoln. His firm and consistent maintenance of the national cause, his clear understanding of the great questions at issue, and his unwearied efforts while enforcing the laws to deprive the conflict of all bitterness, were all so happily blended with a reliance on Divine guidance as to elevate him to a high rank among successful statesmen. His name is hereafter identified with the cause of emancipation, while his patriotism, integrity, and other virtues, and his untimely death, render him not unworthy of mention with William of Orange and Washington.

I have the honor to be, sir, your obedient servant,

S. WELLS WILLIAMS.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

A.

Mr. Williams to Prince Kung.

LEGATION OF THE UNITED STATES,
Peking, July 7, 1865.

During the present month I have received despatches from the government of the United States informing me that, "on the evening of the 14th of April, a man approached one of the attendants upon the President, pretending that he had important despatches to deliver from the army, which he wished to do personally. He was accordingly admitted, and going directly up to the President, fired a pistol at him, whose shot struck him in the brain; he never spoke after, and died early the next morning. On that day the Vice-President quietly succeeded to the vacant office. The assassin was arrested a few days after."

This startling intelligence has filled me with amazement and profound grief, and the sorrow it causes is the greater from the contrast with the gratifying tidings received only a few days before of the capitulation of the so-called capital of the southern confederacy, and the surrender of its principal general with over twenty thousand men to the victorious arms of the government.

Mindful of the amicable relations subsisting between the governments of the United States and China, which cause all events, whether they be sad or joyful, to possess a common interest, I have the melancholy duty to state these circumstances of the death of the President to your Imperial Highness for the information of his Majesty the Emperor in such a manner as may be suitable.

I have the honor to be, sir, your Highness's obedient servant,

S. WELLS WILLIAMS.

His Imperial Highness PRINCE KUNG, *&c., &c., &c.*

B.

[Translation.]

JULY 8, 1865, (*Tungchi, 4th year intercalary, 5th moon, 17th day.*

Prince Kung, chief secretary of state for foreign affairs, herewith sends, in reply:

I had the honor yesterday to receive your excellency's communication informing me that the President of the United States had been removed by death, an announcement that inexpressibly shocked and startled me. But, as you add that on the same day the Vice-Presi-

dent succeeded to the position without any disturbance, and the assassin had been arrested, so that the affairs of government were going on quietly as usual, I hope that these considerations will alleviate your grief at the event, and you will be able to attend to public business.

I shall be pleased to embody the particulars connected with this event in a memorial to his Majesty, and thereby evince the cordial relations which now exist between our countries, which is the purpose of sending the present reply.

His Excellency S. W. WILLIAMS,
Chargé d'Affairs of United States, in China.

Mr. Williams to Mr. Hunter.

[Extracts.]

No. 5.] LEGATION OF THE UNITED STATES,
Peking, July 31, 1865.

SIR: Since my last despatch I have received from the department despatches Nos. 129 to 134, inclusive, addressed to Mr. Burlingame. The first containing the President's proclamation of April 11, relating to the privileges of United States national vessels in foreign ports, requires no action in China, where the courtesies due to our flag have not been withheld. The notification in No. 130, relating to the death of the President, had been anticipated, as you will have already learned from my last despatch of the 11th instant.

The directions in your circular of April 17 about wearing mourning have already been complied with. * * * * * *

I have the honor to inform you that the disturbances in the south of this province of Chihli, and the adjacent provinces of Shantung and Honan, to which I referred in my despatch of May 24, No. 1, have been repressed, and the bands of insurgents dispersed or forced to retire to the hills, which have sheltered them many years past. The government brought up a force of 5,000 or 6,000 men from Shanghai in steamers to Tientsin, which had the effect of showing the people, as well as insurgents in that region, the facilities it now possessed for concentrating troops.

The death of Saukolinsin had weakened the army under his command and terrified the inhabitants, while it emboldened the insurgents; these movements had the effect of reversing this state of things. If the latter had felt strong enough to march on the capital, there was then no adequate force to resist them. One ground of safety on the part of government was the difficulty its enemies had of getting arms of any kind in their remote condition in the interior, and that no foreigners could reach them.

The funeral of Saukolinsin, on the 13th instant, was one of the most magnificent parades that has been seen in Peking for a long time; and the death of this loyal soldier is regarded as a great loss by the court, which is now without an influential leader to set over against Tsang-Kwoh-fan.

The evacuation of Changchan, near Amoy, and the retirement of the insurgents from that neighborhood, is regarded here as the virtual dispersion of the last force which the Nanking rebels can bring against the imperialists on the south side of the Yang-tse-kiang. Large tracts of country in the west and northwest provinces are still harassed by bands of Mohammedan rebels, who are ineffectually opposed by government troops, and between the two the inhabitants are soon driven off or destroyed, and their country gradually turned into a desert. Such is said to be the case at present with many places in Shensi and Kansuh provinces.

I have the honor to be, sir, your obedient servant,

S. WELLS WILLIAMS.

Hon. WILLIAM HUNTER,
Acting Secretary of State.

Mr. Seward to Mr. Burlingame.

No. 150.] DEPARTMENT OF STATE,
Washington, August 14, 1865.

SIR: Your despatch of the 4th of May last, No. 109, from Shanghai, enclosing a communication from S. Wells Williams, esq., relative to the ministerial crisis which has taken place in China, has been received, and I have read with interest the history of that event as related by Mr. Williams.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

ANSON BURLINGAME, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Williams.

No. 151.] DEPARTMENT OF STATE,
Washington, August 14, 1865.

SIR: Mr. Burlingame's despatch, No. 112, submitting an account of his interviews with Prince Kung and other members of the foreign board, has been received.

The President of the United States desires to make known his satisfaction with the very just, liberal, and friendly sentiments expressed by Prince Kung and his associates of the foreign board at these interviews.

The government of the United States is not disposed to be technical or exacting in its intercourse with the Chinese government, but will deal with it with entire frankness, cordiality, and friendship. The United States desire neither to interfere with the distinct and ancient habits and customs of the Chinese people, nor to embarrass the members of the foreign board in their difficult and responsible labors. While insisting always upon rights stipulated in solemn treaties, the wish of this government is to promote that esteem which will conduce to the mutual advantage of both nations.

The President also desires to express his satisfaction with the attention and courtesies which were shown to Mr. Burlingame previous to his departure from Peking. They are regarded by the President as a just compliment to the services of our minister, and at the same time an evidence of good will to the nation he represents.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

S. WELLS WILLIAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Williams.

No. 1.] DEPARTMENT OF STATE,
Washington, August 25, 1865.

SIR: Your interesting despatch of the 25th of May, No. 1, has been received, and your proceedings therein mentioned are approved.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

S. WELLS WILLIAMS, Esq., *&c., &c., &c.*

Mr. Hunter to Mr. Williams.

No. 6.] DEPARTMENT OF STATE,
Washington, October 13, 1865.

SIR: Your despatch of the 11th of July last, No. 4, transmitting a copy of the correspondence which passed between yourself and Prince Kung upon the subject of the assassination of the late President Lincoln, has been received. The sentiments expressed by his excellency regarding the melancholy occurrence referred to are highly appreciated.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

S. WELLS WILLIAMS, Esq., *&c., &c., &c.*

Mr. Seward to Mr. Williams.

No. 7.] DEPARTMENT OF STATE,
Washington, November 6, 1865.

SIR: Your despatch of the 26th of June last, No. 3, has been received.

In reply, I have to inform you that the President is of opinion that the offender Burgevine may, upon a just conviction, be left to the Chinese custody without being reclaimed by the United States representative. But this is to be understood to rest upon our own voluntary consent upon the grounds of national honor, and not from Chinese right under treaty stipulations.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

S. WELLS WILLIAMS, Esq., *&c., &c., &c.*

Mr. Burlingame to Mr. Seward.

No. 115.] WASHINGTON, *November* 27, 1865.

SIR: I have the honor to enclose a note handed to me on behalf of Prince Kung, by Tung Siun and Hangki, members of the foreign office in China. It relates to the Osborne flotilla, and my connexion therewith. I ascertained in London that the British government would take the vessels, and pay for them as soon as an appropriation could be made. I was requested by the British authorities to consult with Sir Frederick Bruce, now the British minister here, to the end that he might advise his government in the interests of justice.

I have seen Sir Frederick who, I am happy to say, is prepared to aid the Chinese, and to urge his government to at once close this business according to their wishes.

This proposed action on his part is but a continuation of that spirit of amity which led him, in the interests of peace, to send the flotilla to England, and will be appreciated by you.

I have the honor to be, sir, your obedient servant,

ANSON BURLINGAME.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Enclosure.—Translation.]

Note handed to the United States minister on the 11th of February, 1865, by Tung Siun and Hangki, members of the foreign office.

We beg to address your excellency respecting the sale of those steamers.

Last year, you and the British minister, Sir Frederick Bruce, made an excellent arrangement for us respecting the disposition of Captain Osborne's flotilla, according to which he was to take the vessels back to England, dispose of them there, and remit the proceeds to China; and both myself and all the members of the foreign office were deeply grateful for the friendly disposition and great assistance rendered us in arranging this affair, so that we could then place the details on the records of the board of revenue. We also reported the whole of the circumstances to the throne, and received directions to arrange it in that way.

However, more than a year has now elapsed since that was done; and when Sir Frederick Bruce left here on his return to England last summer, we personally requested him to devise some way, on his arrival, by which the whole business could be soon closed. In September last Mr. Wade officially informed us, that owing to war then existing in the west, it was not unlikely that some delay would arise in selling the vessels, owing to an apprehension that some of the belligerents might get them. We replied, that if the British government would take them for their own use, one-fifth would be deducted, and we enclosed an account corresponding with this proposition. He answered that he could not himself make any final arrangement respecting them; but as soon as the directions of his government respecting them were received he would inform us.

As no intimations concerning this matter had been received, in November last we wrote to Sir Frederick himself, urging him to arrange it as soon as he could; and confided the letter to Mr. Wade to translate and forward. As nothing has been hitherto received from Sir Frederick about the sale of the vessels and remittance of the proceeds, as we had expected, we are left in a state of anxious uncertainty concerning them. We are well aware that he and your excellency made the most suitable and satisfactory arrangement at the time for their disposal; and we all, both myself and colleagues in the foreign office, have entire confidence in your honor; but as the affair is connected with the revenue of the country, as long as it remains unsettled, so long are we responsible for the issue.

Knowing that you both then so willingly agreed as to the proper mode of action, we therefore do not hesitate to write your excellency this note upon the subject. As soon as you can ascertain the present value of these steamers and (or) when their proceeds will be remitted to China, we shall be very much pleased to receive your answer, and thereby relieved from our present suspense.

We avail ourselves of this opportunity to present our compliments and best wishes for your happiness.

Card of PRINCE KUNG.
With those of PAUYUN.
WAUSIANG.
TSUNGLUN.
TUNG SIUN.
HANGKI, and
SIEH HWAN

His Excellency A. BURLINGAME.

SPAIN.

Mr. Perry to Mr. Seward.

[Extract.]

No. 134.] LEGATION OF THE UNITED STATES,
Madrid, October 28, 1864.

SIR: I yesterday enjoyed an interview with Mr. Llorente, in the course of which his remarks on the subject of the difficulty with Peru presented no new feature except in one point.

He asked me what would be the course of our government in regard to cargoes of guano consigned to ports of the United States on Spanish account.

In connexion with this subject he said, that though Spain would not keep permanent possession of the Chincha Islands, yet the conduct of Peru might possibly make her occupation of considerable duration. Spain did not wish to deprive the markets of the world of that commodity on which the agriculture of many countries had come in a measure to depend.

She would not, however, permit the guano deposits to be used by Peru as a means of making or prolonging war against herself.

No contract or stipulation made by Peru, relating to or affecting the guano subsequent to the 14th of April, 1864, when the islands came into the possession of Spain, would be recognized by this government; those made previously would be religiously observed.

The Spanish government would establish a system by which the guano could be supplied to consumers as heretofore, by constituting Spanish agents in place of Peruvian in the ports of different countries, to whom the value of cargoes should be paid, which sums would be sequestered by the Spanish government until the events of the war, or the conditions of the treaty of peace, should definitively dispose of them. Mr. Llorente was careful to repeat that the sums received by the Spanish agents for the sale of guano would not be immediately appropriated by Spain as her own property, but they would be held and accounted for by her according to subsequent treaty stipulations with Peru, keeping in view always the compensation of her war expenses until Peru should agree to terms of peace and friendly intercourse.

Spain meant by this means to secure a guarantee of indemnity for her own war expenses whilst she deprived Peru of the resources afforded by this treasure, now in Spanish keeping, and at the same time responded to the commercial wants of other countries not implicated in this quarrel.

He thought he ought to announce these ideas or plans of the Spanish government to me, and he would be glad to know what I thought of them, whether there would be any difficulty interposed by my government to the substitution in the United States of the Peruvian consignees of guano by Spanish agents in the manner indicated.

I said that I could give no reply in the name of my government to the indications he had made, but I would write to Mr. Seward, and whatever instructions he might send me I would make haste to communicate to Mr. Llorente.

In reply to a remark of my own referring to the mortgage already made by Peru of the guano deposits as a security for the payment of her national debt, Mr. Llorente said: We shall not remove that security; the islands are always there, the guano deposits are practically inexhaustible, and we have declared that we will return them to Peru on the termination of the war. If our

occupation be short it will not affect the guarantee for the Peruvian bondholders; if it be long, we might perhaps be induced under certain circumstances to pay the interest coming due on those bonds ourselves, to be deducted from the amount Peru might claim of us out of the proceeds of the guano sold by us, for which we must account on the day of settlement, or to make some other equitable arrangement with the bondholders. This referred, of course, to the old bonds only. No new contract or stipulation made by Peru subsequent to the Spanish occupation of the islands would have any validity for Spain.

I have no observation to make on the nature of this communication which will not suggest itself to you from the terms of the proposition itself.

* * * * * * * * *

I have the honor to remain, with the highest respect, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 135.] LEGATION OF THE UNITED STATES,
Madrid, October 28, 1864.

SIR: During a part of the interview I had with Mr. Llorente yesterday, the conversation was general upon the subjects of business and interest between the two governments.

Among other things he told me that the reported advances made by some of the leaders of the Dominicans soliciting terms of peace were true. Those leaders had made proposals to conclude peace upon the basis that Spain should retain the protectorate of that country, but leave the Dominicans free to govern themselves.

Mr. Llorente said that the reply of Spain was, in brief terms, unconditional submission by the people in arms against her, as a thing demanded by her military honor. After this submission should be made, Spain would listen to any proposition tending to satisfy the people of Santo Domingo, and relieve herself of the burden of that dependency.

I have the honor to be, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 140.] LEGATION OF THE UNITED STATES,
Madrid, November 9, 1864.

SIR: I hope to save the mail steamer by sending direct to Queenstown, and thus to put in your hands a press copy of Mr. Consul Dabney's letter from Teneriffe of the 29th ultimo, received one hour since.

Though the voyage of the steamer between Teneriffe and Cadiz has been unusually long, perhaps the Calabar may not have reached Liverpool in time for Mr. Dabney's despatches for you to be put on board for New York.

Nothing has been heard here of the new pirate vessel now undoubtedly under the command of Semmes, who escaped from the wreck of the Alabama, since the transfer of her armament and crew as related by Mr. Dabney.

With great respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Perry to Mr. Adams.

MADRID, *November* 9, 1864.

DEAR SIR: I hasten to enclose for your use a copy of a letter received half an hour since from our consul at Teneriffe, in hope it may precede the arrival of the Calabar at Liverpool. I also send a copy to Mr. Seward.

Very truly, &c., &c., your obedient servant,

HORATIO J. PERRY.

His Excellency CHARLES F. ADAMS, *&c., &c., London.*

Mr. Dabney to Mr. Perry.

CONSULATE OF THE U. S. OF AMERICA, TENERIFFE, CANARY ISLANDS,
Teneriffe, October 29, 1864.

SIR: The English blockade-runner steamer Laurel, Ramney master, arrived at this port on the night of the 21st of October for the purpose of getting coals and to land forty-two men, said to have belonged to the English steamer Sea King, which foundered near the Desertas, of Madeira, and who were picked up in their boats near those islands.

On landing, Captain Corbett, late master of the Sea King, declared that he should maintain the crew and send them home at his expense, as he did not wish to trouble the consul with them. He placed them at a hotel instead of a sailors' boarding-house, at double the expense of sailors usually, and all the expenses to be paid by himself with money obtained from Bruce, Hamilton & Co., to whom it is said he brought a letter of introduction.

All this appeared so remarkable that my suspicions were excited at once, and failing to elicit anything definite from the different employés of this house, I imagined that these men were intended for some confederate vessel to call here for them. I therefore went to the commander de la Varina and stated my suspicions and asked him to investigate the circumstances of the loss of the Sea King. Two days elapsed before he received any answer, and it was a remarkable one which he showed to me. It was to the effect that the crew belonged, as stated, to the Sea King, which did not founder, but was sold at sea, the transfer there made and the price paid down, and that therefore the captain paid all expenses of his crew here and their passages hence to Liverpool in the steamer of the 30th proximo.

The inference is that another transfer has been made in this vicinity, (similar to that of the Alabama at Terceira two years ago,) of a vessel suitable for a cruiser to the confederates; that this crew brought her from England to the place of rendezvous, and that the Laurel brought her confederate officers and crew out and transferred them at the same place, and that we shall ere long begin to hear of her depredations on our commerce.

I went to the British consulate, where I was kindly shown her register, but was not allowed to make any extracts. However, I examined it well, and wrote down her description afterward from memory, which I believe may be relied on as correct, and which is as follows:

Screw steamer Sea King; iron frame, wood planking; 1,017 tons gross, 990 net; 200 horse-power; built at Glasgow in 1863: lately owned by William Wallace, banker, in London, and others; sailed from London; cleared for Bombay; is three-masted, square rigged, round stern; has a poop and bust head.

This is all the information I have been able to collect and which I hasten to communicate to you.

I shall address Mr. Seward and also Mr. Adams to-morrow by the English packet, and communicate these same particulars. The crew are yet here and are to go to-morrow in the steamer to Liverpool, then due from the west coast of Africa, the Calabar.

I remain, sir, &c., &c.,

WILLIAM N. DABNEY.

HORATIO J. PERRY,
U. S. Chargé d'Affaires, Madrid.

Mr. Perry to Mr. Seward.

[Extract.]

No. 144.] LEGATION OF THE UNITED STATES,
Madrid, November 22, 1864.

SIR: Allow me to congratulate you upon the re-election of President Lincoln to a second term of power. We have just received the telegrams which announce it. Nobly have our people responded to the principles set forth by you at Auburn. No doubt, from the extraordinary circumstances which preceded and surround this great act, it had come to signify the life and the strength or the decay and death of the American republic. We are saved; but that is not all.

The effect of this event upon Europe can hardly be overestimated. Never has the political action of any people fixed to a higher degree the anxious attention of the world outside their own limits.

It has been felt here that the great crisis had at length come; that after a career of unexampled prosperity, our republic, attacked in its vitals by the insurrection of a compact class strong enough to display a military and a political power and conduct such as have had no parallel in the history of insurrections, after a defence by the government incomparable also for the magnitude of the military resources displayed, now called upon by the organic law to submit to the people themselves, in the midst of this gigantic contest, the question of the renewal of the whole edifice of government from base to capital, forced to afford them an opportunity to shift a little upon their shoulders, if they pleased, the great burden of the war, of the finances, of the national fatigue; to yield a little, if they chose, only a little, of the eternal principles of justice and state polity for the hope of present ease, or to sustain those principles firmly, to carry that burden steadily—to save the republic—save the great interests of mankind—and, instead of receding and declining, to bravely push the wheel of human progress forward over every obstacle, at the cost of every sacrifice—it was felt, I say, that the people of the American republic, called upon in these circumstances to quietly and freely manifest their true will and judgment in secret ballot, where all that there is great and noble in men, as well as all that there is small and dark, alike find expression, held in their hands, in fact, the practical solution of that historic question which has troubled the world's statesmen for ages, whether the republic could rightfully be considered a permanent form of government; whether, in the great crisis of a nation's history, a democratic republic offers in itself any sufficient guarantee of its own continuance; whether it can, notwithstanding the philosophic perfection of its theory, legitimately take its place alongside the monarchies and aristocracies which have subsisted in the world as a stable form of government.

The history of Athens and the little states of Greece is not favorable. Rome never was a democratic republic; and when that democracy did shake off the patrician rule, it was only to give power to Cæsar. Venice and the other oligarchic republics of the middle ages do not meet the question; Switzerland is more favorable, but does not solve it. The experience of France is fatal; the epoch of Cromwell in England was at once unsatisfactory and transitory.

The practical question remained yet for our time and for our people? Can a great democratic republic stand? Can it resist the ambition of those classes which a community of occupation or of interest will create? Can it resist the ambition of its statesmen, of its generals? Can it employ great armies? Can it stand the shock of civil war? Is there really in the masses of men, practically considered, that virtue and those qualities indispensable for the prolonged

continuance in adversity as well as in prosperity of a state whose only political guarantee is the will of the whole people freely expressed?

That is the momentous question which has moved Europe profoundly in respect to us, and fixed the gaze of peoples upon our people at this moment with an intensity of interest you at home may not have appreciated.

In the fate of the United States went the hopes of men for a long period to come, and that fate, in the estimation of those outside our limits, hung notably upon the issue of this ballot.

The people of Spain like the rest have felt the pervading interest of this moment. I have not said a word to you officially whilst the great question was pending, but I send you now with my whole heart the expression of my own relief at this solemn verdict of our people, and I send you also the first shout of joy from Spain.

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With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM. H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Perry.

No. 55.] DEPARTMENT OF STATE,
Washington, December 2, 1864.

SIR: Your despatch of the 22d of November, No. 144, has been received.

Your congratulations upon the result of the presidential election are as eloquent as your exposition of its transcendent influence is just and complete.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Perry to Mr. Seward.

No. 147.] LEGATION OF THE UNITED STATES,
Madrid, December 4, 1864.

SIR: At a conference between the Spanish minister of State and myself, which took place to-day at my house, the subject of your instruction No. 45, of November 15, was fully discussed.

Every conceivable argument was employed to obtain the result proposed by me in view of your instruction, as stated in my last, of December 2d; but I am sorry not to be able to report success.

Mr. Llorente said that, with all deference to the opinion of Mr. Seward, and with a most grateful appreciation of the kind offices of the President, he could not himself feel any confidence in the result of negotiations to be commenced here at this time.

The government of Peru seemed to be in a very unsettled condition. A new cabinet appeared on the scene every few weeks.

From the state of public opinion and of political parties in Peru, as represented to him, it was evident that any settlement arranged with a Peruvian negotiator at Madrid would be greatly exposed to a rejection at Lima.

The treaty of peace and recognition negotiated here by Mr. Asma some years since had met that fate. They would not abide by it.

I said that the case now was very different, as any settlement arrived at here in pursuance of the President's advice would undoubtedly be supported by the influence of the United States for its acceptance at Lima.

Mr. Llorente was afraid it would be useless. The military preparations of Peru were being urged forward with all the haste their resources permitted. They might oblige the Spanish admiral to take hostile action at any moment. We did not even know whether hostilities had not already commenced. We did know that Peru was making every effort to prepare an expedition to attack the Spanish ships at anchor at the Chincha islands before their consorts should arrive.

Mr. Llorente mentioned the names and descriptions of the Peruvian vessels, and appeared to be well informed.

That attack might be made, or the Spanish commander might find himself placed in such circumstances as to feel obliged to make an attempt to destroy those preparations before they should be completed.

Mr. Llorente had no doubt of the result in either case, but this state of things was not favorable to any negotiation here.

Even if the Spanish government were to countermand its instructions to Admiral Pareja, or suspend their execution in view of President Lincoln's advice to Peru, the time necessary for communication between Washington and Lima, and afterwards for the arrival at Madrid of a negotiator with instructions prepared in accordance with the President's advice, would carry forward the day for beginning such negotiations into the month of February, at least, and it was impossible to calculate how much time would be consumed before a definite result could be arrived at and made known in the Pacific states.

Meantime the present indefinite state of things was giving rise to troublesome complications with the other Spanish-American states. Spain was already almost at war with Chili, without object or profit of any description. Everything counselled her Majesty's government to bring this state of things to a close promptly one way or the other, and know, at least, precisely where they stood.

On the other hand, said Mr. Llorente, there was really nothing more for us to say or do here than what had been done already.

I had already been informed that the Spanish admiral would not move in this business of his own accord before January, and that then his first steps would not be hostile, but the reverse. This would certainly give time for the good counsel of the United States to be heard at Lima.

He regretted that the President had not thought it better to advise the government of Peru to negotiate on the spot with the plenipotentiary sent out by Spain for that purpose.

Perhaps that might yet be the result, if Mr. Seward, as was quite probable, should have again reflected upon the actual situation of this business.

Admiral Pareja had been furnished with full powers to negotiate with the government of Peru and bring this business to a settlement.

In reply to a remark of my own, tending to draw from him the precise character of the instructions finally given to Admiral Pareja, Mr. Llorente said, (and this statement, you will notice, amounts to a considerable modification of the communication made to me on the 13th of October,) that I might write to my government that the instructions of the Spanish admiral and plenipotentiary gave him discretionary power, and were exceedingly moderate and conciliatory, so much so that they could not fail to recommend themselves to Mr. Seward's approbation.

With sentiments of the highest respect, sir, I remain your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 152.] LEGATION OF THE UNITED STATES,
Madrid, December 16, 1864.

SIR: I have the honor to enclose the translation of an address to the President of the United States, on the occasion of his re-election, which has appeared in the Spanish newspapers, and is now receiving signatures, to be in due time forwarded to its destination.

It will be remarked that the abolition of slavery is, for the signers of this address, the grand idea of the war, the grand idea of the re-election of Abraham Lincoln, and the only point they think it worth while to dwell upon.

This source of sympathy for our cause is strong, and its manifestations constant.

I beg to confirm to-day the same observations I had the honor to communicate to you on the 21st September, 1862, (despatch No. 81,) and which coincided at that time with the President's memorable proclamation of September 22, confirmed on the 1st January, 1863.

I have no doubt now that the recommendations which the President has perhaps already addressed to both houses of Congress, and which will have been determined by the exigencies of our interior needs, will again coincide, will again display the same remarkable harmony of his action, with this demand for the development and completion of the policy of slave emancipation, which the exterior service of our government makes it once more my duty to report to you from this standpoint of Spain.

The address of the Catalans is dated the 6th instant, and it was published to-day simultaneously by various journals.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Translation.]

To the citizen Abraham Lincoln, President of the republic of the United States:

The undersigned, members of the democratic party of Barcelona, congratulate you sincerely upon the vote which that great people has given in your favor, securing you for another term of four years in the high office of President of the republic.

This event proves that the grand idea—cause of the grandest war which the annals of the world record—existed not alone in the mind of one man, but in the consciences of a whole people, proves that the President's proclamation for the abolition of slavery well expressed the noble aspiration of the people of the United States, who could no longer sustain so unworthy an inheritance under a flag in whose shadow do battle justice against iniquity, liberty against servitude, morality against the most horrible crime.

Youthful America regards with consternation your fields soaked with blood, and old Europe shudders with anguish. What matter?

Your idea is superior to all; the end you reach at higher than all lesser considerations, more sacred than those smaller interests of the moment, which noble hearts sacrifice cheerfully upon the altar of the greater good, and whose loss draws vile tears only from base egotism.

The good, the honorable of all countries are with you and with the people you lead victorious in the noble strife. What matters to you the non-adhesion of the rest?

Worm-eaten relics of times which will never return—hypocrites who raise to God prayers from lips which preach the slavery of their fellow-man, and lift toward heaven hands which smite the face and forge the chains of their brother—where should their sympathy be, where their heart, except in the den which hides the sordid treasure of their cupidity?

How can the humanitarian sentiment penetrate breasts hardened by the most ignoble of the passions? How can they comprehend that the emancipation of a slave, whose bondage has cost them their gold, is worth the sacrifice of one sole drop of the blood of a freeman?

The good and the honorable of all countries are with you; and a part of these, few but faithful, congratulate you from one of the provinces of Spain.

Persevere, illustrious President, in your work; and when the solemn hour of your complete triumph shall sound, let the abolition of slavery in the United States be the signal for the abolition of all slavery among mankind.

BARCELONA, *December* 6, 1864.

Mr. Seward to Mr. Perry.

No. 58.] DEPARTMENT OF STATE,
Washington, December 31, 1864.

SIR: I have received your despatch of the 11th of December, (No. 150,) which informs me of the retirement of Mr. Llorente, and of the accession of Mr. Benavides to the office of secretary of state for foreign affairs.

Certainly we have found Mr. Llorente courteous and just in our correspondence with the government of Spain, and I shall be happy if you can properly find a way to let this acknowledgment be known to him.

I receive with pleasure the expression of good feeling which you have received from Mr. Benavides.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c. &c., Madrid.*

Mr. Perry to Mr. Seward.

[Extract.]

No. 161.] LEGATION OF THE UNITED STATES,
Madrid, January 31, 1865.

SIR: The debates in the Spanish senate, which have run over a period of about twenty days, have been unusually interesting.

On the question of the reply to the Queen's speech, senators of the opposition have taken occasion to review the whole policy of the government.

Attacked on the questions of the abandonment of Santo Domingo, and the plan for the relief of the treasury by the adherents of O'Donnell, with that leader at the head, and on the queston of the enciclical letter of the Pope and general policy of ministers toward Rome and Italy by the new Catholic orators, I have rarely witnessed a debate in which there has been more vigor and persistence shown in the attack, or a cooler and more solid ability displayed in the defence. The orators of the government have had the best of the argument on every point, but the struggle has been severe.

The name of the United States has been used as a bug-bear by the orators of the opposition, who claimed that the occupation of Santo Domingo by the Spaniards was the only way of averting the annexation of Dominica to the United States, and the consequent ruin of Spanish interests in the West Indies. The Duke of La Torre, the same captain general of Cuba who made the arrangement with the Dominican general, Santara, was the loudest in this argument.

The Marquis of Valdeterrazo, minister of Spain to London in 1860, made the declaration of which I enclose a translation.

The Marquis of the Habana, (General Concha,) who has been twice captain general of Cuba, and is now out with O'Donnell, defended the policy of abandonment, and said that the United States had long ago refused the annexation of Dominica, (referring to the Cazneau treaty,) and that Spain had taken them up only after they had been refused by other powers.

The Duke of La Torre (General Servaro) spoke strongly in favor of a declaration by Spain that the slave trade is piracy, and wanted steps to be immediately taken for the abolition of slavery in Cuba.

The Marquis of Havana desired the extinction of slavery, but preferred measures like those which Brazil had taken to suppress the slave trade, and which had been sucessful in two years.

He said that if there were anything to be apprehended from the side of the United States, or from any quarter, as a military man he must say that he thought the policy of Spain ought to be to consecrate her power as much as possible; and the possession of Santo Domingo added no strength to Spain but was a decided source of weakness. The resources of Cuba were uselessly employed in Santo Domingo, and they might be needed in that island itself. * *

The debate was closed last evening, and the reply to the Queen's speech being put to the vote, passed the senate by a vote of 102 for and 58 against the policy of the government.

This is not a direct vote upon the bill for the abandonment of San Domingo; this bill not being before the senate but before the lower house, to come up afterwards to the senate; but the question is thus already debated and settled indirectly, so far as the senate is concerned, the house having done little eels except to adjourn over from day to day to give the members an opportunity to be present at the senate debates, and allow ministers also to be all present in the upper house.

This great trial of parliamentary strength over, all the interest now centres in the lower house, and the senate adjourns over to allow ministers to be all present in the other house, as well as the senators themselves.

But the question of San Domingo is already prejudged, and the bill for the abandonment is already virtually carried by the government.

* * * * * * * * *

With sentiments of the highest respect, I remain, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Translation.]

A mistake has been made in saying that the United States have made a treaty of annexation with Santo Domingo. This is not the fact.

When I was in London I was authorized by the government of her Majesty to occupy myself in this question, all the necessary facilities being conceded to me to engage not only the English government but also the French, to associate with the Spanish government to carry out a demonstration to be made in the bay of Samana. Being authorized in this way, I conferred with the English government on the serious damage which would be caused by the occupation of the bay of Samana by the Anglo-American government.

The English government understood it in this light, but did not wish to bind itself unless the French government associated itself also. I addressed myself to the latter, making a full explanation of the evils, the inconveniences, and the damage which the commerce of the three nations would receive if the United States should found an establishment or raise a fortification in that harbor. The French government understood the gravity of the question, associated itself with the English and Spanish governments, and the result was that the three made a demonstration towards the bay of Samana, at the same time giving instructions to their representatives at Washington to manifest the displeasure which the three governments would feel if the treaty of which we had advice, but whose tenor was not known, should be carried into effect.

The English government some time after, having given the necessary orders for the uniting of the maritime forces of the three powers with the above-named object, obtained the first copy of this treaty, which it remitted to the government of her Majesty.

In this treaty the annexation was not established; that which was alone established was the right to raise a fortification and to found a national establishment in the bay of Samana by means of a compensation and other services to the republic of Santo Domingo. For this reason the Duke de la Torre said very opportunely that the occupation of Samana is highly important, and that the Spanish government should not abandon a post of so much value, not only for the governments of England and France, but much more for the interests of Spain. In this I agree with the Duke de La Torre, and I say to the ministers that the abandonment of Santo Domingo is a danger; and I also say to the ministers that they ought

to consider well to what an extent the security of our provinces beyond sea is compromised by the abandonment of Santo Domingo. The government is still in time to avoid the evils and consequences which this measure may produce; and let it not be said that this is but an echo, for in order to defend Porto Rico and the island of Cuba, more expense will have to be borne than is necessary to preserve Santo Domingo.

Mr. Perry to Mr. Seward,

No. 162.] LEGATION OF THE UNITED STATES,
Madrid, February 4, 1865.

SIR: I received last night a telegram from our consul at Vigo informing me that a confederate pirate steamer had entered the port of Corunna for repairs. He gives the vessel's name Stonewall, but I received also a private advice late last night that the ship is the Shenandoah. Copies of these documents go enclosed, as well as another from the consular agent at Corunna, which I at first supposed to refer to some blockade runner, and treated accordingly.

Before daylight to-day the enclosed telegrams had been sent to the consul at Vigo, to the consular agent at Corunna, to the minister of the United States at London, to the chargé d'affaires at Paris, to the minister at Lisbon, and to the consuls at Cadiz and Gibraltar. I trust that from some one of these points a government cruiser can be notified in time to block the egress of the pirate from the bay.

I have also written the note to Mr. Benavides, of which a copy goes enclosed, and as soon as the hour permitted this morning, sought him at his own house, and placed the note in his hands. I showed him also the account given by our consul at Teneriffe on the 29th October last, of the operation effected between the Laurel and the Sea King, since Shenandoah or Stonewall, and the royal decree of June 17, 1861, and copies of the telegrams I had sent to our consuls. And I said, also, that I had not wished to indicate in my note any step to be taken by her Majesty's government in preference to another, but I had made a statement of the facts as I understood them, and preferred to leave to the spontaneous action of her Majesty's government the proper remedy. I did not, however, myself see how Spain could ever permit that vessel to leave her ports again as a privateer. The article first of the royal decree of June 17th could have but one meaning, and though my government had made no reclamation against Spain for the first arming and equipping of this pirate in her waters unbeknown to her authorities, yet, now that the vessel had come again within her jurisdiction, and within the power of her authorities, if she were again allowed to depart, it could not fail to be the motive of grave reclamations from the government at Washington.

Mr. Benavides said, what you wish, then, is that we should disarm the corsair? I said, what would you do if an armed force engaged in insurrection in France should pass the Spanish frontier? Mr. Benavides replied, we should take away their arms.

I then asked if there was any motive why this corsair should be treated otherwise? Mr. Benavides said, in his own opinion, there was not; and, besides, this particular ship seemed to be doubly guilty.

I added, that, in my opinon, she must at least be disarmed completely, both under the dictates of international law and the provisions of the municipal law of Spain.

Mr. Benavides took my note and said that he would attend to the affair immediately, and have it set right this day.

I shall advise you hereafter what course is taken by this government.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Telegram.—Vigo, 3.]

Minister of the United States:

The confederate war steamer Stonewall has entered Corunna to repair damages.

BARCENA, *Consul.*

[Translation.]

United States Consul at Vigo:

Protest with energy against every kind of repairs and succors for the confederate corsair which is at Corunna.

PERRY, *Chargé d'Affaires.*

[Telegram.]

United States Consular Agent at Corunna:

Protest with energy and warmth to the authorities against every kind of repair and succor to the confederate corsair which is in your district.

PERRY, *Chargé d'Affaires.*

[Telegram.]

His Excellency the Minister of the United States at London:

A confederate pirate, supposed the Shenandoah, has entered Corunna and asks for repairs. Advice to whom it may concern.

PERRY, *American Legation.*

[Telegram.]

To United States Chargé d'Affaires at Paris:

onfederate corsair is at Corunna, and asks for repairs. Notify our shipping.

PERRY.

[Telegram.]

Minister of United States at Lisbon:

The confederate corsair Shenandoah is at Corunna asking for repairs. Notify our ships.

PERRY.

[Telegram.]

United States Consul at Gibraltar:

The confederate pirate steamer Shenandoah is at Corunna seeking to repair damages. Notify our ships.

PERRY.

[Telegram.]

United States Consul at Cadiz:

The confederate pirate Shenandoah is at Corunna to repair damages. Notify our ships-of-war and merchantmen.

PERRY.

[Translation.]

LEGATION OF THE UNITED STATES AT MADRID,
Morning of the 4th of February, 1865.

SIR: I have the honor to inform your excellency that a privateer steamer, under the flag of those citizens who are in rebellion against the government of the United States, has entered the port of Corunna and asks to repair her damages. I have sent instructions by telegraph to the consul of the United States in Vigo, and to the consular agent in Corunna, to protest with energy and persistence before the local authorities against the furnishing of every kind of repairs, provisions, and succor to the privateer.

This is, according to my information, the last (for all the rest are either destroyed or cap-

tured) of those English vessels which sailed with English armament and crews to make piratical war against the merchant ships of the United States, displaying on the seas the flag of the insurgents in my country, into whose ports, however, they never entered.

I have extra official information that the English authorities of the Bahamas, obeying the instructions of the government at London, have arrested in the port of Nassau the vessel, sister to the one now at Corunna, for having mocked the laws and sovereignty of England by equipping herself under that flag for war against a government with which that of England is at peace.

The vessel which is now within the jurisdiction of her Catholic Majesty was armed as a privateer in the waters of the Canary islands, in mockery of the royal decree of June 17, 1861. According to the information on file in this legation this vessel, which was called the Sea King, sailed from London with a cargo of coals ostensibly for Bombay. At the same time another steamer, the Laurel, sailed from the port of Liverpool with heavy cannon and carriages in her hold, and a great number of seamen as passengers for Teneriffe, in the Canaries. The two vessels met at a retired anchorage in those islands, and the transhipment of the cannon and war material with the seamen took place from the Laurel to the Sea King, which then hoisted the flag, not recognized, of the insurgents of my country, and started in search of prizes, while the Laurel entered the port of Teneriffe with the old crew of the Sea King, and set them on shore. These men returned to England in the mail steamer Calabar, and as soon as they arrived the captain was arrested by the English government at the instance of the representative of the United States, the rest of the crew showing their ignorance of the project which the captain had executed, and that they had refused to serve aboard the Sea King as soon as they learned her true character.

This vessel, taking another name, began her depredations, and I have news of three ships of the United States with their cargoes burned and destroyed by this vessel on the high seas without the formality of a condemnation as good prize by any tribunal, legitimate or simulated. The nature of such proceedings, even supposing that the flag was that of some known government, is well known to your excellency. And this pirate takes refuge now in the waters of the Spanish jurisdiction, asking to repair his damages after having violated the terms of the royal decree of June 17, 1861.

Although that decree wounded the rights and sovereignty of the United States in declaring belligerents in an international sense the insurgents who fight under an unknown flag against their own government, which is at peace with Spain, and although the term neutrality in the sense of abstention by any nation from a war waged between other known powers has not been well applied in this decree, still, as it shows patent in its text the desire and resolution of her Majesty's government not to take any part in that intestine conflict of the United States, and not to permit any one within the Spanish jurisdiction to aid those insurgents, I have no difficulty in citing it as a Spanish law which this corsair has violated. And this vessel being now within the power of her Majesty's government, the undersigned mentions these facts in the firm conviction that your excellency will not fail to take, as promptly as the case requires, those measures which the government of her Majesty may think most proper to vindicate its own dignity and outraged sovereignty, and which will be suggested by the friendship and good dispositions it cherishes towards that of the United States.

I avail myself of this opportunity to renew to your excellency the assurance of my most distinguished consideration.

HORATIO J PERRY.

His Excellency MINISTER OF STATE.

Mr. Perry to Mr. Seward.

No. 163.] LEGATION OF THE UNITED STATES,
Madrid, early morning of the 7th February, 1865.

SIR: This goes by the morning train in the hope it will reach Queenstown in time for the Cunard steamer.

The first resolution of the Spanish government in the matter of the pirate at Ferrol was to treat her as the Sumter was treated at Cadiz, and under this order repairs were commenced upon her yesterday. I have remonstrated in such terms that after a good deal of difficulty I procured a counter order last night to suspend the work.

I am informed by Mr. Fernandez, acting as consular agent at Ferrol, and acting nobly, that the vessel is in bad condition and cannot go to sea without the repairs she seeks. I think from present appearances I shall be able to detain her definitively and stop her career entirely; at any rate I shall gain time.

Meantime the Sacramento is off from Cadiz on the evening of the 4th instant,

and will have plenty of time to get round. I have no doubt other ships will be sent by Mr. Adams and Mr. Bigelow.

I confirm my telegram of the 5th to you by Queenstown.

The vessel is an iron-clad ram of 300 horse-power and three guns, built in France, stopped by imperial order, sold afterwards to Denmark, refused by that government, and once more in rebel hands. She is supposed to have received her crew from an English steamer sent out to meet her for this purpose at some rendezvous; name, Stonewall.

I have no time to relate in detail the strenuous efforts I have made here. I have been forced to use firm language, which will be immediately reported to you. I think the career of this vessel is stopped, but till I have the documents in my hands, will not venture to announce it as a *fait accompli.*

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WM. H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 164.] LEGATION OF THE UNITED STATES,
Madrid, February 8, 1865.

SIR: On the 7th instant I wrote you that the first resolution of this government in the question of the repairs solicited by the iron-clad ram Stonewall, now lying at Ferrol, had been to treat her as the Sumter was treated at Cadiz in 1862; that I had remonstrated in such terms that I procured a counter order, and that all work had been suspended on that ship. I now beg to report in detail the steps taken by me and the general history of that affair.

On the 4th instant, after my despatch No. 162 of that date with its enclosures had been written, I received the telegrams Nos 1, 2, and 3, which informed me that the Stonewall had crossed the bay from Corunna to Ferrol, where there is an extensive naval arsenal and marine engine factory belonging to the government; that the consular agent at Corunna had protested against the repairs according to my instruction by telegram (already forwarded in No. 162,) and that the screw sloop-of-war Sacramento had immediately sailed from Cadiz on receipt of my telegram of the same morning.

I replied at once to the consular agent at Ferrol in telegram No. 10, ordering him to protest against every kind of repairs and succor for the corsair as contrary to the royal decree of June 17, 1861, and offensive to the government of the United States, with which Spain is at peace. Before daylight on the 5th instant I had the honor to send you, through the consul at Queenstown, the telegram No. 11, and to Mr. Adams at London, and Mr. Bigelow at Paris, Nos. 12 and 13, giving a description of the ram as furnished me by the consular agent at Ferrol.

At about 11 o'clock I went to see Mr. Benavides, her Catholic Majesty's minister of state, and informed him that I had been misinformed the day before; that the rebel ship was not the Shenandoah, as at first supposed, but a new iron-clad ram, whose description I gave him. This varied the grounds of my reclamation. Mr. Benavides informed me that he had seen his colleagues, that they had a precedent already in the case of the Sumter, and that it had been decided to treat this ship in the same way the Sumter was treated, which had proved satisfactory to my government.

I immediately answered that I had had the honor to treat the case of the Sumter myself with Mr. Calderon Collantes, and that I had acquiesced in what had been done in that instance, stating clearly that it should not be used as a precedent for future cases, whilst my government had approved that course, under the peculiar circumstances of the case, coupling its approval with a protest

against the provisions of the royal decree of June 17th, 1861, according to which it had been decided.

I then showed Mr. Benavides the distinctions between the case of an iron-clad ram and a wooden ship as I understood them, and as they had been established by an English tribunal called to pass upon a case in which this new class of vessels was concerned.

I mentioned to him also the case of the Rappahannock detained by the French government at Calais under circumstances precisely similar to those of the Stonewall at Ferrol, except that the latter was an iron-clad, which made the case still stronger against her being repaired.

Mr. Benavides requested me to let him have all that in writing, and he would see what could be done.

I returned home and immediately wrote the note of which a translation is enclosed, and it was handed to Mr. Benavides the same afternoon. It was written in Spanish, and the first draught sent to the minister without preserving other copy than that taken by press from the original, and which I now enclose herewith. It seemed to me preferable to thus get the arguments of that paper before the Spanish government immediately, saving a day or two's delay in the preparation of a translation by the Spanish state department before it could have its effect upon the ministers while the Stonewall would be reparing at Ferrol.

I am now preparing English copies both of this and of the note of the 4th instant, to be kept by Mr. Benavides as originals, the Spanish copies to be treated as translations.

After that note was sent, I received at about 8 o'clock the same evening, February 5, the two telegrams Nos. 4 and 5 from our consular agent at Ferrol, and from Mr. Bigelow at Paris, which informed me that the Stonewall was in a bad state, unable to keep the seas, and that the works had been suspended under the consular protest, and instructions asked from Madrid.

Mr. Bigelow informed me that the vessel was built at Bordeaux, sold to Denmark, equipped for the confederates at a place illegible, and advised me to seek Monsieur Mercier and detain her.

Thus it was certain the orders to treat this ship as the Sumter had been treated had not yet reached Ferrol; she was detained, and nothing had been done upon her up to that time.

I learned also that the least time she would need in order to stop the leaks about her helm-ports enough to enable her to go to sea would be three days, according to the report of the government officers who surveyed her at Ferrol.

On the 6th instant I called on Mr. Mercier, the French ambassador, and showed him Mr. Bigelow's telegram of the 5th. But he replied to my verbal request for his co-operation that he had no other antecedents than what I brought him, and that without instructions from Mr. Drouyn de Lhuys he did not feel at liberty to take any step in the matter.

I also saw Mr. Banuelos, sub-secretary of state, who met me with my note of the 5th instant in his hands and complained that the terms of that note had appeared to them hard; that he himself, whose personal sympathies were entirely on the side of the north, did not like it. I found, however, on inquiry, that he had not read it, but his attention had been called to some phrases by the clerk to whose bureau it belonged.

I told Mr. Banuelos that I intended it to be only just hard enough to stop the repairs on the Stonewall; that I did not stand upon the words or phrases, and that if we could come to an understanding as to things, I would throw the paper into the chimney and replace it with one as soft as he could desire. I begged him, however, to consider the points made in the note, which I then repeated and urged verbally, the result of this interview being that an official letter was sent from the state department to that of marine, requesting the

minister of marine to suspend the work on the Stonewall until further advice; it being understood that I would prepare the draught of another note to be handed to Mr. Banuelos, and if the definitive resolution of this question which Mr. Banuelos hoped to obtain from the cabinet should be in accordance with my wishes, as he expected, then the note of 5th February to be withdrawn and replaced by the second one.

Having effected this arrangement, and seen the order for suspension of the repairs issued, I returned home and found the telegram No. 6 from the consular agent at Ferrol, which advised me that the work had just been begun on the ship that afternoon, under the orders I had just succeeded in having suspended.

On the 7th instant, my despatch No. 163 was written and forwarded to you by the morning train. Telegram No. 14 was sent to consular agent at Ferrol, who replied at two o'clock, (telegram No. 7,) that the order of suspension had been obeyed, and that it was impossible for the Stonewall to go to sea in the state she then was.

I prepared the draught of a new note as arranged, and then sought an interview with Mr. Benavides, to whom I urged the arguments for detaining the iron-clad ram, completely, as set forth in the draught of a note a copy of which goes enclosed.

Mr. Benavides showed me that these repairs had been provisionally suspended; thought that they could not alter the law of the decree of June 17, 1861, which he said had been published by the party of O'Donnell, now in opposition, and which he perhaps would never have published, and would be glad to have out of the way. If any indication should come from the French government, it would help the case very much; meantime the repairs would not go on.

I left this interview under the impression that Mr. Benavides would himself be glad to take a view of this question very much like the one I urged upon him, but that he was by no means sure what would be the decision of the cabinet in apprehension of the attacks which might be expected from the opposition in the chambers, if they were to vary from the precedent of the Sumter case at Cadiz.

Immediately afterwards I had an interview with Mr. Banuelos, to whom I handed the draught of a new note; spoke of the incidents of the Sumter negotiation; showed your despatches to me, (No. 6 of February 4th, 1862, and No. 13 of February 24, 1862,) leaving No. 6 confidentially in his hands to be used as he might see fit.

Mr. Banuelos thought I should get all I asked except the detention by the Spanish authorities of the Stonewall in the port, because, he said, the batteries there were old and armed with old-fashioned artillery, and what could the authorities do? If the iron-clad chose to leave, they had not the material power sufficient to stop her. I said that their responsibility would be covered if they made the attempt, and I should be satisfied with the order for detention if it were executed in good faith, whatever might be the result. I had no idea the ram would attempt to force her way out against the authority of a royal order for her detention.

Returning from this interview, I sent to Mr. Bigelow the telegram No. 15, in which I informed him that the Stonewall was detained provisionally; that Mr. Mercier had no instructions, and begged him to see Mr. Drouyn de Lhuys, and I would detain the ram till instructions could arrive.

I beg leave thus to submit the history of this case up to the night of the 7th instant, and have the honor to remain, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Telegrams with despatch 164.—Translation.]

No. 1.

CORUNNA, *February* 4, 1865.

To the Chargé d'Affaires of the United States:

Having energetically protested to the authorities of Corunna and Ferrol, the Stonewall went off to-day to Ferrol. Count on my faithfulness. I am an American citizen.

FUENTES, *Consular Agent.*

No. 2.

FERROL, *February* 4, 1865.

To the United States Ambassador:

At this moment the armor-clad confederate brig Stonewall, of 300 horse-power, 3 guns, Commander V. G. Page, crew 79, from Copenhagen and Corunna, bound for America, has arrived. I ask prompt instructions.

FERNANDEZ.

No. 3.

CADIZ, *February* 7, 1865.

American Minister:

The two despatches received and delivered. The captain has gone to Vigo.

EGGLESTON.

No. 4.

FERROL, *February* 5, 1865.

Chargé d'Affaires of the United States at Madrid:

Stonewall in bad condition; cannot proceed. Work suspended until decision of government. A vessel of H. C. M. in guard. I have protested as you instructed me.

CONSUL.

No. 5.

PARIS, *February* 5, 1865.

United States Legation at Madrid:

Stonewall built at Bordeaux, refused by Denmark, equipped for confederates and driven from Quiberon. France pursues her. Seek Mercier and detain the steamer. Letter by mail.

BIGELOW.

No. 6.

FERROL, *February* 6, 1865.

Chargé d'Affaires of the United States at Madrid:

Stonewall repairing damages at the arsenal.

FERNANDEZ, *Consul.*

No. 7.

FERROL, *February* 7, 1865.

The royal order is complied with. Not possible for Stonewall to go to sea in the condition in which she is, according to advices.

CONSUL FERNANDEZ.

No. 8.

[Telegram.—Lisbon, February 8, 1865.]

Horatio Perry, American Legation, Madrid:

Have you precise information as to rebel cruiser reported at Ferrol and Vigo? Are you sure as to Shenandoah?

The Sacramento entered here partially disabled, en route to Vigo.

HARVEY.

No. 9.

[Telegram.—Lisbon, February 9, 1865.]

Horatio Perry, American Legation, Madrid:

Please keep me fully informed about movements of corsair at Ferrol.

JAMES E. HARVEY.

No. 10.

[Telegram.—February 4, 1865—5 p. m.]

[Official.—Translation.]

To the Consular Agent of the United States at Ferrol:

Protest with energy and persistence before the local authorities against every kind of repairs and succor for the corsair, as contrary to the royal decree of June 17, 1861, and offensive to the government of the United States, with which Spain is at peace.

PERRY, *Chargé d'Affaires.*

No. 11.

[Telegram.—February 5, 1865—5 a. m.]

To the Consul of the United States, Queenstown, Cork:

The iron-clad confederate steamer Stonewall, Commander V. G. Page, 3 guns, 300 horse power, crew 79 men, from Copenhagen for America, is stopped at Ferrol to repair damages

HORATIO I. PERRY.

The SECRETARY OF STATE *at Washington.*

No. 12.

[Telegram.—February 5, 1865—5 a. m.]

To his Excellency the Minister of the United States at London:

The iron-clad confederate steamer Stonewall, Commander V. G. Page, 3 guns, 300 horse-power, crew 79 men, from Copenhagen for America, is stopped at Ferrol to repair damages.

HORATIO J. PERRY.

No. 13.

[Telegram.—February 5, 1865—5 a m.]

Chargé d'Affaires of the United States, Paris:

It is the iron-clad steamer Stonewall, Captain V. G. Page, 3 guns, 300 horse-power, 79 men, from Copenhagen for America, at the Ferrol arsenal asking for repairs.

HORATIO J. PERRY.

No. 14.

[Telegram.—February 7, 1865—8 o'clock a. m.]

United States Consular Agent at Ferrol:

To-day countermand last evening's order issued to suspend wholly works on the Stonewall. Make this known to the authorities, renewing your protest.

HORATIO J. PERRY,
Chargé d' Affaires.

No. 15.

[Telegram.—February 7, 1865—5 p. m.]

United States Chargé d'Affaires, Paris:

Stonewall provisionally under detention. Mercier is without instructions. Seek Mr. Drouyn de Lhuys. I can detain the corsair until instructions arrive. Your despatch and letter received. Thanks.

PERRY, *Chargé d'Affaires.*

No. 16.

[Telegram.—February 8, 1865—9 a. m.]

To United States Chargé d'Affaires, Paris:

The Stonewall is the same as what was called the Stoerkodder at Bordeaux, and Olinde at Quiberon. Her crew is the old crew of the corsair Florida.

PERRY, *Chargé d'Affaires.*

B.

[Note to Spanish government.—Translation to be considered as original.]

LEGATION OF THE UNITED STATES AT MADRID,
Madrid, February 5, 1865.

SIR: I make known to your excellency that I was misinformed yesterday, and that, according to my later information, the vessel which was at Corunna is not the same which was equipped in the waters of the Canary islands.

This one is an iron-clad steamer of three guns and three hundred horse-power, with a crew of seventy-nine men. She comes from Copenhagen, bound for America, and was moved yesterday from Corunna to Ferrol in search of repairs which she needs.

That portion of my note of yesterday is, therefore, without effect, which supposed that this vessel had already violated a municipal law of Spain, which was cited; although the text of that law, and its meaning, if it were to be executed in any case, are not in accordance with international law, which is that to which the government of the United States attends in its relations with the government of her Majesty.

We must, therefore, in considering the question presented by the presence of this war vessel in the port of Ferrol, limit ourselves to its international aspect, and to what is exacted by the relations of peace and friendship existing between the government of the United States and that of her Majesty.

And your excellency will allow me to recall your attention to the contents of my note of the 18th January, 1862, in which I had the honor to express to Mr. Calderon Collantes the expediency that what had been done in the case of the corsair Sumter at Cadiz should not serve as a precedent for her Majesty's government in subsequent cases; and also to my note of the 22d March, 1862, in which I made known to that minister the approval of the President of the United States of all that I had before said, with the further instruction, as regards the royal decree of June 17, 1861, that, although the United States had continually protested and did not now acquiesce in the resolution of the Spanish government to treat the insurgents as belligerents, nevertheless, for the many reasons set forth in those two notes, they had not determined for this cause to break off their ancient relations of friendship with Spain.

Thus the government of the United States submitted to the isolated fact of what was done for the first time in the case of the Sumter, protesting against its repetition and against the law set forth in the royal decree of the 17th of June, according to which that case was decided.

I do not suppose that I venture anything in foreseeing that, in the case before us, another resolution like that of the Sumter would not be acquiesced in by my government.

It is true that at first various nations declared the insurgents of my country belligerents, but those who began in that mistaken way have already modified their practice so as to put it more in harmony with the rules of good international law which the government of the United States has never ceased to invoke.

The action of Spain is independent, and will be guided by whatsoever recommends itself most to the sentiment of justice in her government.

But as I am confident your excellency is not less disposed to recognize the principles of right, which favor the United States according to the law of nations, than the ministers of other maritime powers, it will not be out of place to cite some recent cases which have happened in England and France.

The government of England has arrested in her ports, at the instance of the minister of the United States, two iron-clad steamers belonging to the insurgents of my country, and, not finding in the English legislation any better means of complying with its obligations towards my government on the one hand and towards the rights of property in private persons on the other, paid from its treasury the just price of the vessels to their owners, and incorporated them into its navy.

The government of France also detained the vessels which belonged to these insurgents in the ports of France.

But the case most similar to that of the vessel now in the port of Ferrol is that of the Rappahannock, formerly the Victor, of the royal navy of England. This ship-of-war was sold by the English admiralty for some defects, and purchased ostensibly by private persons to go, as they said, to China. Afterwards it was known that the true purchasers were the American insurgents, and the English government gave orders to detain the vessel; but she

effected her escape from the Thames, and, once on the open sea, hoisted the insurgent flag, changed her name, her officers put on uniform, her crew were put under military discipline, and, after crossing the sea, she entered the port of Calais as a vessel-of-war of the so-called Confederate States of America,' her officers bearing the commissions and instructions of that supposed government, and she began to make such repairs as she needed in her machinery. But the government of France, at the instance of the representative of the United States, not feeling disposed that a warlike expedition against the United States should start from its ports, arrested this vessel by the simple plan of anchoring a French vessel-of-war across her bows, with orders not to allow her to move; and there the Rappahannock remains to this day.

Your excellency will not fail to perceive that, according to the well-established law of nations, unless the government of Spain is resolved to recognize the insurgents of the United States as a sovereign and independent government, it cannot permit any expedition hostile to the government of the United States to leave the Spanish ports, after advice of its existence and intention, without becoming a party to the intestine struggle there carried on. It is not right to declare them belligerents, and concede to them the rights of sovereignty under another name, taking ground as a neutral between two sovereign powers at war, whose vessels would thus have an equal right to consideration and hospitality in Spanish ports. At the beginning, the great extent of this rebellion, its military power, which to the nations of Europe appeared sufficient to assure success, the quasi frontier which it momentarily proclaimed and defended against the power of the government, and the seaports it also possessed and defended, may have been motives for an error of appreciation which the government of the United States treated as an error and combated with diplomatic protests, trusting in the march of events to dispel the illusions of other governments.

But to-day the facts are different. Now there is not a State of the so-called Cofederate States where the flag of the government is not displayed and sustained by superior forces; there is no frontier; more than half the territory of the so-called confederacy is definitively pacificated and obedient to the government at Washington. With the capture of the port of Wilmington, the insurrection has lost its only remaining seaport. Of all the imposing hosts it has put under arms, one sole army still holds firm and defends in its trenches the city of Richmond.

If, under these circumstances, the government of her Majesty shall concede practically, and under whatsoever name, the rights of sovereignty to the revolutionary junta now passing its last winter at Richmond, your excellency will recognize, at least, that the motive which existed at first in the false appearance of the facts, and which induced my government to treat with a certain forbearance the error into which European governments fell mistakenly, cannot now be alleged; and your excellency will understand my just apprehension that the government of the United States may not consent, on their side, to look at things as they did at first. But if that conflict is reduced already, beyond a doubt, to the rank of an insurrection against the government, which the government overpowers; if there is no motive, either real or apparent, to concede to that junta the rights and considerations of sovereignty in the anticipation that they would establish it; if they have no longer any port in which a vessel may take refuge, and no hope of recovering any, then the recognized principles teach us that her Majesty's government cannot allow any armed expedition, hostile to the government of the United States, to leave her own ports without becoming a party in the intestine struggle which still continues in that nation. And it is no matter how the warlike expedition came to find itself within the Spanish jurisdiction, it shall be because it could not keep the seas; the right of asylum and refuge is not denied to the Spanish government, but the expedition cannot again leave this jurisdiction, preserving its character of an organized force seeking occasion to commit hostilities against the government of the United States, without involving the responsibility of the government of Spain. It is the same case as if an armed band in insurrection against the government of France should take refuge across the Spanish frontier. Spain may exact that it shall not be pursued within her jurisdiction, but she will have also the corresponding obligation to not allow it to leave her jurisdiction again as an armed force to continue its hostilities against a government with which Spain is at peace. And it is not true that in so doing the government of Spain would be performing the duty of the French police; it is only that Spain would thus avoid giving just motive to the government of France to penetrate within the Spanish jurisdiction to perform the proper duty of the police of Spain.

And here I may be allowed to call the attention of your excellency to the decision of the English tribunal to which the Queen's government had submitted a new point in the law of nations. This tribunal has decided that although it might be sufficient to disarm an ordinary vessel, take away her guns and warlike stores, in order to take away her distinctive character, it is not so in the case of iron-clad ships; here the hull of the vessel itself is a machine of war, it has no other possible object in application, it does not serve for peace in any way, and it is, therefore, in the same case as the cannon themselves. Thus it must be abandoned by the band of insurgents who have it in hand with hostile intent against a friendly government in the same way and wherever a cannon would be.

Your excellency will consider what, in the opinion of the government of her Majesty, is most in accordance with justice, and with that correspondence, which I flatter myself I shall find in your excellency, to the sentiments of sincere, loyal, and complete friendship, and I

will even say decided kindly sympathies, which animate the government and people of the United States towards that of her Catholic Majesty and the noble Spanish nation.

It is solely for the purpose of contributing on my part what I can and ought, so that the resolution of the disagreeable question presented by the visit of the Stonewall in this jurisdiction may be the proper one that I claim now in the name of my government, provisionally and until I can receive its special instructions referring to this case, that this vessel shall not receive within the Spanish jurisdiction any repairs whatsoever, whether it be in the hull of the vessel or in her machinery, or in her armament and warlike equipments, and, in general, that her means for doing injury on the seas to the government of the United States and to those who may be under its flag shall not be augmented or bettered in the slightest degree; that she shall not be permitted to increase her stores of coal or of provisions, receiving of these only enough to maintain her crew from day to day while she may remain in port, but in no manner so as to be enabled to continue with the supplies she may receive in Spain her hostile enterprises against my government; and, finally, that this vessel be detained by the government in whose jurisdiction she is until she shall be deprived, both vessel and crew, of their character of an armed and organized expedition, ready to leave the territory of Spain to make war, under an unrecognized flag, against the government I represent.

I avail myself of this occasion to renew to your excellency the assurance of my most distinguished consideration.

HORATIO J. PERRY.

His Excellency the MINISTER OF STATE
Of her Catholic Majesty.

C

Copy of a draught of a note to the Spanish government, prepared and handed to Mr. Banuelos by Mr. Perry on the 7th of February, in pursuance of an understanding arrived at on the 6th of February.

SIR: It is my duty to inform your excellency that the vessel reported in my note of the 4th instant turns out to be a new iron-clad ram, of 300 horse-power and three guns, which has escaped from the waters of France, not yet complete, and has entered the waters of Spain for the purpose of completing at the arsenal of the Ferrol her preparations to make war upon the flag of the United States.

Her history, as I am informed, is as follows: She was built at Bordeaux for American insurgents, but before she was complete the government of France, at the instance of the representative of the United States, took effective measures to prevent her leaving that port as long as she was the property of those insurgents.

She was then sold to the Danish government, and went to Copenhagen. But upon inspection she was refused by that government, and she started again for France, with a small crew, ostensibly to be delivered back again to her builders.

But she seems meantime to have again become the property of the insurgents of the United States; how and when I am not informed. Instead of going to Bordeaux she went, therefore, to a retired rendezvous on the French coast, where an English steamer met her and put a warlike crew aboard, when she hoisted the flag of the insurgents and started for Ferrol to complete the preparations which she needed to become an efficient vessel-of-war.

Your excellency will allow me to express my firm conviction that she has mistaken her course, and that she will find the government of her Catholic Majesty no better disposed than that of France to permit her ports and arsenals to be the scene of warlike preparations against the government of the United States.

Against the recognition of the insurgents as belligerents in the royal decree of June 17, 1861, my government has constantly protested, as well as against the manner in which it was interpreted in the case of the Sumter at Cadiz, as not in accordance with the sound principles of international law.

But even the 1st article of that decree itself prohibited entirely to fit out, provision or equip any privateer in the ports of her Majesty.

It seems the Stonewall has never yet been completely fitted out, provisioned or equipped to make war against the United States, and has not yet begun her hostile operations against the United States.

She has come into a Spanish port to complete those preparations of which she has need, and which she would not be allowed to complete in France. This brings her clearly within the text and meaning of the 1st article of the royal decree of June 17, 1861, and nothing can be done in the way of fitting out, provisioning, equipping or getting that vessel ready for sea, without directly violating the terms of that decree.

And here I may be allowed to call your excellency's attention to a case precisely similar in its circumstances which happened in France more than a year since. The facts are stated by the solicitor general of England in the case of the Queen *vs.* Rumble, as follows:

The Victor was an English war steamer, sold by the admiralty for some defect and purchased by private persons to go, as they said, to China. But it was afterwards known that the real

purchasers were the American insurgents, and the English government gave orders to detain the vessel. The owners, however, received intelligence in time, and the ship escaped from the Thames, going to sea before certain repairs which she needed were completed. Once on the open sea she hoisted the insurgent flag, changed her name to the Rappahannock, her officers put on a uniform, her crew were put under military discipline, and after crossing the sea she entered the French port of Calais as a vessel of war of the so-called Confederate States of America, and begun to make the repairs in which she stood in need. But here the government of France intervened, and not feeling disposed to permit that a French port should be made the scene of hostile preparations against the government of the United States, stopped these repairs and stopped the vessel, by the simple plan of anchoring a French vessel-of-war across her bows, and the Rappahannock remains in that state to this day.

Your excellency will not fail to remark the precise similarity of this case with that of the so-called Stonewall now at Ferrol.

But there is another point which makes the case still stronger against the Stonewall. This ship now in a Spanish port is an iron-clad vessel, while the Rappahannock is simply a wooden ship. The government of England has recently decided, according to the decision of its competent tribunal, this new point in the law of nations, that, although it might be sufficient to disarm an ordinary vessel, take away her cannon and warlike stores to change her distinctive character and reduce her to the condition of a peaceful ship, this is not so in the case of an iron-clad vessel. Here the body of the ship itself, the machinery which moves it, the rudder which guides its course, in fact every part of the ship, is itself altogether a machine of war. It has no other object nor application possible. It cannot serve for peaceful purposes in any way. Take away the cannons, and the ship still retains perhaps her chief means of offensive and defensive war. She can run down her antogonist, while she is herself protected from his shot by her iron armor.

It was in this way that the frigate Cumberland was sunk by the Merrimack, in the first battle recorded in which an iron-clad ship took part. Therefore, according to the decision of the English tribunal and government in the case of iron-clad ships, the whole vessel must be treated as a machine of war, and no part of it, as long as it is connected with the iron-clad hull, can be considered under any circumstances as having any application for the purposes of peace.

Your excellency will not fail to see the force of these reasons; and though the action of the Spanish government will be entirely independent of those of England and France, still, as those governments were first to recognize belligerent rights in the insurgents of the United States, it cannot be out of place to cite their decisions in the cases which have occurred in those countries, and also the measures taken by those governments in view of the reclamations of the representatives of the United States.

It has been my pleasing duty thus far to report to my government the kind and friendly disposition of the government of Spain, though in the beginning of the intestine conflict in my country she followed the example of England and France and declared herself neutral, while we persisted in treating her as a friendly power.

The struggle, which at that time appeared to European nations as destined to separate the United States into two or more nations, is now drawing to a close. That powerful faction which begun by attacking the sovereignty of Spain in her American possessions, and subsequently, when they were thwarted in their filibustering schemes, turned their arms against the government of the United States itself, is already hopelessly defeated.

More than half the territory embraced in the so-called confederation of rebel States is already definitely pacified and obedient to the government at Washington. There is now no State in which the flag of the government is not displayed and sustained by superior forces. The faction has lost its last seaport. No vessel under its flag can ever again enter its ports. They are henceforth rovers without a home. Of all the imposing forces put under arms by this faction, one army only still holds and defends in its trenches the city of Richmond; but the position of this army is every day more critical, and it is already as certain as anything in war can be that the revolutionary junta is now passing the last winter of its existence in Richmond.

Why should not Spain, whose interests are entirely harmonious with those of the United States, whose increasing power and prosperity are a source of unfeigned satisfaction to the United States, whose position as a first-rate power would be hailed by us with unmixed pleasure—why should not Spain take the opportunity presented by the visit of this corsair to spontaneously review the basis of her declaration of neutrality made in 1861, more or less in accordance with the action of other powers, and be the first now to plant herself frankly on the basis of friendship towards the government of the United States, not recognizing nor conceding to the revolutionary cabal at Richmond the rights which belong only to sovereignty under any name or designation whatsoever?

But while I thus cherish what may not be more than a hope, born of that noble exhibition of patriotic indignation with which the people and press of Spain denounced the supposed recognition of belligerent rights in the insurgents of Santo Domingo, made, as was erroneously stated by the United States, in accord with England, I am at the same time certain that the Spanish government will at least take measures so that the treatment accorded to the corsair now at Ferrol shall not be less favorable to the United States than the conduct heretofore observed by the governments of England and France in cases precisely similar.

Mr. Perry to Mr. Seward.

[Extracts.]

No. 165.] LEGATION OF THE UNITED STATES,
Madrid, February, 1865.

SIR: I take up the relation of what has been done in the case of the rebel ram Stonewall, where it was left by my No. 164, of the 8th instant.

On that day, in the morning, I sent to Mr. Bigelow the telegram No. 16, enclosed in despatch No. 164, informing him that the Stonewall is the same ship which was called Stoerkodder at Bordeaux, and Olinde in the bay of Quiberon, and that she is manned by the old crew of the pirate Florida. In the afternoon I received a telegram from Mr. Harvey, at Lisbon, saying that the Sacramento had entered that port, and asking for information. This telegram was also forwarded with despatch No. 164.

* * * * * *

I received also a communication from Mr. Bigelow, at Paris, dated 5th instant, giving me important information, to which I replied in the evening of this day, and beg to call your especial notice to the copies of these documents, which go enclosed. My own letter, February 8, was the exact statement of the state of this business at the time it was written, as well as an expression of my own idea of what the government of France was called upon to do in view of the facts as reported to this legation.

I had in fact seen Mr. Banuelos the same afternoon, and had received from him the statement that he had shown your despatch No. 6, of February 4, 1862, to Mr. Benavides, who had found it excellent; that the draught of a note I had also left with him the day before was very good and entirely acceptable; that it was decided there should be no repairs on the Stonewall, but the Spanish government could not undertake to arrest her definitively in their port, first, because they had not the material power to to do it, and, second, because they did not think they had a right to do it. If they let her go away in precisely the same condition in which she was when she entered the Spanish jurisdiction, they were not responsible for anything this ship might do afterwards.

This was what they would do. He would send me back my draught of a note, which I might sign under the same date as the one it was to replace, and withdrawing the latter, the whole matter would be arranged. I confess that having obtained this much, (apparently,) I did not feel disposed to press the extreme point of definitive detention of this ship, by the direct exercise of the authority of the Spanish government.

I had put it into my note of the 5th instant, in order to cover the whole ground which my government might wish to occupy, in case this question should not be resolved to my satisfaction. But I had the consul's report that the Stonewall could not sail, in point of fact, unless the repairs were made, and I confess I would have dropped that point of theoretical right, and contented myself with the practical result of no repairs, if the Spanish government had itself fulfilled what I was that afternoon led to expect.

On the 9th of February I sent to the consular agent at Ferrol a telegram, in which I authorized him to employ what people he might need to watch the ram and see that she made no repairs, that she took no coals, nor provisions and water, except what might be necessary to keep her crew from day to day, &c., ordering him to do all in good accord with the authorities of the port, and announcing a letter of credit by mail to cover the expenses of this service.

* * * * * *

I am forced to close here to save the mail, enclosing copy of my protest,* night of 9th instant, to be explained in next despatch.

Respectfully, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Bigelow to Mr. Perry.

LEGATION OF THE UNITED STATES,
Paris, February 5, 1865.

SIR: The confederate steamer Stonewall, referred to in your telegram received this morning, is undoubtedly one of the rams built at Bordeaux, originally for the confederates but ultimately sold conditionally to the Danish government. She left Bordeaux last September for Copenhagen, but not answering to the specification of the contract, was refused. She left, as was given out to the public, and stated in the shipping articles of the crew, for Bordeaux, early in January, with a Danish crew shipped by Arnous de la Rivière, (the agent of the builder, M. Arman,) who accompanied her to Copenhagen and returned with her. She stopped in the bay of Quiberon, just inside the isle of Houat, where she discharged her Danish crew, and received at the same time from the Duke of Richmond, an English steamer, a crew, guns, and munitions of all kinds. From a steam-tug sent from St. Nazaire she also received 30 tons of coal, which replaced what had been consumed on her voyage from Copenhagen, where she had also taken thirty tons, that being the extent of her capacity at that time, from which I infer that she left Bordeaux full of coal, and that her final destination for the confederates was planned before she left Bordeaux.

The name she bore when she left Bordeaux was the Stoerkodder; after passing into the confederate hands, as I presume she did immediately after clearing at Copenhagen, she took the name of Olinde, which she bore on her stern while lying in Quiberon bay. I heard a report current a day or two after she sailed that great things were expected from a ram which had just left France, called the Stonewall, and that the utter destruction of our blockading fleet off Charleston was to be one of the least considerable of its achievements.

Of the identity of these two vessels I have no doubt, nor do I believe any is entertained here, either in the department of marine or foreign affairs, both of which I visited immediately upon the receipt of your despatch.

I proposed that his excellency the minister of foreign affairs should telegraph this afternoon to his minister at Madrid to ask the Spanish government to detain the Stonewall, at least until the investigation which the government here is now making be completed, and the guilty parties, if there be any, to the equipment of this vessel in French waters, be ascertained. I assured him that our legation at Madrid would unite in such an application if necessary.

Unfortunately he had not yet received a report from the department of marine, without which he could not take any step of that gravity.

I took measures to have the report of the minister of marine reach him within an hour after my interview, and I hope that one of the results of a perusal of the evidence will be a telegraphic direction this afternoon to M. Mercier to do what is necessary to detain the vessel.

I write you all these facts in detail that you may understand the position which the French government occupies, and to suggest that you put yourself at once in relation with M. Mercier, and urge him to do what he can to make the Spanish government seize or at least detain the Stonewall. The more France can be made to take the initiative in this matter, the more will our future course be simplified.

Should M. Mercier receive no instructions, or should he decline to act, I would suggest that you make the application in behalf of your own government.

France has recently furnished Spain an excellent precedent for such a step in the case of the Rappahannock, which was fraudulently taken from English waters into Calais, to be fitted out and equipped for the confederates. This government refused to let her leave upon grounds which apply with exactness to the case of the Stonewall. In both cases they got an opportunity of flying the confederate flag by a fraud upon the government under which they were equipped in part. France refused to recognize a nationality acquired in that way, and the Rappahannock lies at Calais to this day.

Have you any agent at Ferrol? If not, would you not do well to send one there at once? I hope you will keep me advised of the movements of the Stonewall by telegraph.

I am, sir, with great respect, your very obedient servant,

JOHN BIGELOW, *Chargé.*

HORATIO J. PERRY, Esq.,
Secretary of Legation.

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* For protest, see enclosure to despatch from Mr. Perry, No. 166.

D, with No. 165.

Mr. Perry to Mr. Bigelow.

LEGATION OF THE UNITED STATES,
Madrid, February 8, 1865.

SIR: The confederate steamer Stonewall, now at Ferrol, is the same ship mentioned in your letter of the 5th instant, under the names of Stoerkodder and Olinde. Her crew is reported by my consular agent at Corunna to be in great part the old crew of the pirate Florida. This, then, is an armed expedition, begun and completed in the waters of France to make war upon the United States.

I can see nothing in point of international law to distinguish this from the expedition organized, armed and equipped in the Canadian territory of England to carry on hostile operations at St. Albans.

The Alabama and her sister ships escaped from the waters of England unarmed and in the guise of peaceful vessels, and were armed subsequently out of English jurisdiction. But aside from the fact that a steam-ram cannot be reduced to the condition of an unarmed ship, since the hull itself is the arm both for offence and defence, in this case the confederates seem to have made the mistake of putting the crew and officers, the cannon, coals, and ammunition, aboard the Stonewall within the jurisdiction of France, where she was also built. They have thus involved the responsibility of the imperial government in a way which cannot but prove prejudicial to themselves. They start for the first time out of the jurisdictional waters of France, fully organized, armed, and fitted, to make war upon the United States.

The complete good faith and the executive efficiency with which the Emperor's government has caused the decree of neutrality to be obeyed up to this time, as in the case of the Rappahannock, and in that of this very steam-ram, until the rebels found means to deceive the imperial government and mock its authority, makes me confident that when you represent these facts to Mr. Drouyn de Lhuys, with your accustomed ability, you will find it easy to obtain from that clear-headed statesman some sufficent action designed to stop the career of this formidable ship before she has an opportunity to come into hostile contact with the forces or the ships of the United States. I do not really see how the responsibility of the French government can be disengaged, unless some adequate effort of this kind is made, and made promptly.

Fortunately the ram has entered the arsenal at Ferrol in a partially disabled state, and our consular agent reports that she cannot keep the seas till she is repaired. I have obtained from the Spanish government positive orders that these repairs shall not be made; she is closely watched, and only allowed to purchase provisions, &c., enough to maintain her crew from day to day. I have claimed also that she should not be allowed to go out of the port at all; but I am informed confidentially that if the ram chooses to go, there is not power enough in the batteries and vessels in the port to stop her. She is detained, however, provisionally, so far as orders to that effect can detain her. I have the second-class screw sloop Sacramento, also out of repair, coming round as fast as possible from Cadiz, and ought to be on the ground by to-morrow.

Will not France consider herself called upon to arrest this armed expedition even by force on the high seas for having violated her orders, and armed, organized, and equipped in her waters, and started thence against the United States, with which government France is at peace? Is it not due to her own dignity and to the vindication of her own violated sovereignty that she should do all she reasonably can to arrest this armed expedition and bring it back to her ports, and reduce it to a condition of quiet and harmlessness?

I make these suggestions, sir, not as forestalling the decisions of your own better judgment, but simply to present to you the whole case as it appears to me in the light of the facts reported to this legation, and that you may understand the grounds and course of my own action here.

I am, sir, very respectfully, your obedient servant,

HORATIO J. PERRY, *Chargé d'Affaires.*

Hon. JOHN BIGELOW,
U. S. Chargé d Affaires, Paris

Translation of the telegram.

Station of Ferrol, February 9th, 9 minutes past 8 o'clock at night.—Received in Madrid, February 9th, 39 minutes past 8 o'clock at night.

The Consul to the Chargé d'Affaires of the United States:

I am officially informed that it has been ordered by the superior authority to execute on the Stonewall the works indispensable to guarantee the safety of her crew on the sea; that she shall be furnished with provisions, water, and coal, and that she immediately leave the port in fact.

ALFRED V. DE ARCE, *Chief Clerk in Service.*

MADRID, *February* 9, 1865.

Sent out at 8 o'clock 45 minutes of the 9th of February.

Mr. Perry to Mr. Seward.

No. 166.] LEGATION OF THE UNITED STATES,
Madrid, February 14, 1865.

SIR: With my number 165, sent through the despatch agent at London yesterday, you received a copy of a protest which I wrote and delivered to her Majesty's minister of state on the evening of the 9th instant. A second copy is also enclosed herewith.

At about 7 o'clock in the evening of the 9th instant I had received a telegram from Mr. Fernandez, consular agent at Ferrol, in reply to mine of the morning, giving him instructions that the Stonewall was not to be repaired, and what he was to do in watching her. It informed me that everything should be executed as instructed, and that the authorities were keeping vigilant watch, and nothing would be furnished to the corsair except for the day.

About two hours later, at 9 o'clock, I received another telegram from the same agent, whose copy you will find enclosed. I then immediately wrote the protest, and had it delivered the same evening.

I have since known that the state department were hard at work to prepare copies of documents, and a large package was sent to Mr. Tassara two days since in order to get them thus before you, while I am still ignorant what will be the answer of this government to me.

I have since seen both Mr. Benavides and Mr. Banuelos—the latter twice. No very satisfactory personal explanation can be made for the surprise practiced on me after the negotiation had been virtually terminated as to the repairs of this ship, and the decision announced to me verbally by the assistant secretary of state.

I have, therefore, been disposed to accept whatever was said, and let this point drop easily out of sight. The real motives for the change I understand to be these: The present minister of marine is an old officer, the highest in rank on the navy list, and it seems he declared that he could not and would not send seamen out to sea without stopping the leak in their vessel first; he did not understand the distinction made between iron-clad and wooden ships, and if the crew of the Stonewall claimed to stop the leak in the vessel they were aboard of before going to sea they must be allowed to do it.

The disposition had grown strong in the cabinet to get rid of the unwelcome visitor, but it was found he really could not go without something being done for him first. I have no doubt that the conversation of Mr. Mercier with Mr. Benavides instead of being an advantage to me was the reverse. He sustained with me the opinion which he no doubt honestly entertains in common with his government, that all that belongs to the *navigabilité* or seaworthiness of the ship must be conceded to mariners in the way of repairs to their ship in all civilized ports, no matter who they may be. I do not attempt to foresee how much weight this argument may have with you, called to review calmly all the incidents and bearings of this case, nor, once the position of neutrality as between belligerents is assumed, whether you might not consider this concession of repairs, so far as these relate strictly to the conditions of *navagabilité*, as a necessary corollary to that false conclusion originally arrived at in 1861 by the governments of Europe. The radical vice is in the first declaration of belligerent rights, and in the position of a *neutral* or quasi *neutral* taken towards the insurgents.

I have produced a good deal of hestitation here by my effort to sweep this whole vicious declaration of neutrality entirely away, and if Spain had been alone I have no hesitation in saying I should have succeeded; but the representatives of France and England were consulted by this government. The O'Donnellite opposition, now powerful and menacing in the chambers, had made

that declaration, and had made a precedent under it in the case of the Sumter at Cadiz; and this was what they finally fell back upon in spite of the better judgment of Mr. Benavides, and after even he had apparently carried in the cabinet the resolution of no repairs announced to me as reported.

Whatever your decision upon the whole question may be, it was my business here to sustain the whole ground, and reserve the rights of my government in the presence of an adverse decision. The theoretical questions involved go to the President entire and unjudged; practically I have succeeded at least in producing ten days' hesitation and delay, which have given time for the Niagara to come from England and anchor in the mouth of the bay, where the ram has only been able to *begin* his repairs after Captain Craven's appearance on the scene.

My protest has also had the effect to reduce these repairs to the very least possible which can be done once she is touched at all.

Mr. Benavides has promised me an exact and minute statement of all that is done, which will be very much less than what she really needs. They have determined not to touch her armor plates under any circumstances.

It seems the vessel is badly constructed, and makes much water around her helm-ports, both her rudders working in the helm-ports badly. But they have determined not to raise the plates, not to do any thing to her from the outside, and are fothering the helm-ports, and bracing and wedging with wood and iron from the inside. This will stop the leak while she is in smooth water, but whether it will stand the working of the ship in a seaway may be doubted. In fact, so far as I can judge, even if this ram were to meet no enemies but the elements, the attempt to cross the Atlantic ocean at this season may very probably prove disastrous to her crew.

I am very much chagrined and disappointed by the failure of the Sacramento to appear where she is needed.

Enclosed you will find a series of telegrams received in this legation, among which those of Mr. Harvey are answers to as many more from myself referring to this ship. She must be badly disabled, or Mr. Harvey, with so many repeated and urgent instances, would have sent her along to co-operate with the Niagara.

Mr. Wurts has not been able to prepare copies of my own telegrams and letters in time for this despatch, and they will be forwarded by next steamer.

In laying the principal documents in this case before you, I ought to say that, though I have felt called upon to use firm language, and to protest and reserve the rights of the United States in the presence of an adverse decision by the Spanish government, I have not to complain of anything like sympathy or a disposition to aid the insurgents, or of any unfriendly disposition towards the government of the United States or the northern people on the part of any minister or other officer of this government.

On the contrary, I am persuaded that if the present cabinet had found this question completely new and unjudged by others, I should have been able to come to an understanding with the present government of her Catholic Majesty which would have proved satisfactory to you; and it is now, when I am brought by the force of circumstances into a diplomatic conflict with this government, (at least provisionally and until your better judgment can be consulted,) that I take pleasure in saying that I am convinced of the sincere friendliness and entire good will of the present counsellors of her Majesty towards the government of the United States, and that I am personally much better satisfied in this respect now than I have been with other cabinets which have preceded that of the Duke of Valencia.

I have the honor to remain with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Protest.

LEGATION OF THE UNITED STATES,
At Madrid, February 9, 1865.

SIR: I have just received, with pain and surprise, the telegram of which I enclose a copy. The vessel to which it refers is understood to have escaped from the waters of France, where she was impeded by an imperial decree, in an unserviceable condition, and to have come into the waters of Spain to make certain repairs, of which she is in need, in order to make war upon the United States. She is manned by an organized band of armed men, under the unrecognized flag of the insurgents in rebellion against the government of the United States, who, however, have no ports of their own from which she could have come or into which she can ever enter, but she is now preparing to attack the United States directly from the ports of her Catholic Majesty. This vessel is an iron-clad ram, in which the hull itself is the chief weapon of war, both for offence and defence; it cannot, therefore, be repaired or bettered in any way in the ports of her Catholic Majesty without a clear breach of that neutrality declared in the royal decree of June 17, 1861.

Such being the facts of the case, it becomes my duty again to call upon the government of her Catholic Majesty to dismiss this iron-clad ram from her ports in precisely the same and no better condition than when she entered them, or, if her crew should elect to remain in the asylum they have found, I have no objection to that course, nor do I expect her Majesty's government to force them to sea in an unseaworthy vessel, then this machine of war to remain in the same condition as when it entered port, without repair and betterment of any description so long as it shall be the property of the insurgents in rebellion against my government. But if her Majesty's government shall not heed this reclamation, and will allow the repairs mentioned in the enclosed telegram to proceed, I hereby solemnly protest in the name of the government of the United States against all such proceedings, reserving the rights of that government until the President can be advised and take such measures as may seem to him best, holding the government of her Catholic Majesty responsible for all and several the hostile acts which this iron-clad ram may be aided and enabled to perform against the government of the United States, and for the losses and injuries she may inflict upon their citizens in consequence of the repairs and betterments she may have received in the ports of her Catholic Majesty.

I avail myself of this occasion to renew to your excellency the assurance of my most distinguished consideration.

HORATIO J. PERRY.

His Excellency the MINISTER OF STATE
Of her Catholic Majesty.

Delivered at night on the 9th of February.

H. J. P.

Translation of the telegram.

[Telegraphic despatch.]

Station of Ferrol, February 9, 9 minutes past 8 o'clock at night.—Received in Madrid, February 9, 39 minutes past 8 o'clock at night.

The Consul to the Chargé d'Affairs of the United States:

I am officially informed that it has been ordered by the superior authority to execute on the Stonewall the works indispensable to guarantee the safety of her crew on the sea; that she shall be furnished with provisions, water, and coal, and that she immediately leave the port in fact.

ALFRED V. DE ARCE.
Chief Clerk in Service.

MADRID, *February* 9, 1865.

[Telegram.—Lisbon, February 10, 1865.]

Horatio Perry, American Legation, Madrid:

Sacramento is still repairing engine with all possible expedition. Cannot say when she will be ready for sea.

HARVEY.

[Telegram.—Lisbon, February 10, 1865.]

Horatio Perry, American Legation, Madrid:

Sacramento will not be ready for ten days.

JAMES E. HARVEY.

[Telegram.—Lisbon, February 11, 1865.]

Horatio Perry, American Legation, Madrid:

Your last telegram quite indistinct. Do not know where Niagara is, and have inquired in vain.

JAMES E. HARVEY.

[Telegram.—Ferrol, February 11, 1865.—Translation.]

The United States Consul to the Chargé d'Affaires, Madrid.

I receive official notice of the entry at Corunna of a United States ship-of-war. Stonewall begins to-day preparations for repairs.

[Telegram.—Paris, February 11, 1865.]

Perry, Legation des Etats Unis, Madrid:

Has Niagara arrived? Has Stonewall sailed? Telegraph and write.

BIGELOW

[Telegram.—Corunna, February 12, 1865.]

Honorable Mr. Perry, American Chargé d'Affaires:

Your despatch of last night was received this morning. Yours of this morning, addressed to consular agent, is before me; the agent is absent.

CRAVEN.

[Telegram.—Ferrol, February 12, 1865.]

Señor Encargado de Negocias de los Estados Unidos:

Niagara at Corunna. Stonewall will be ready in three days. Give your orders to Niagara that ship may not escape at night. I received your despatch.

FERNANDEZ.

[Telegram.—Corunna, February 13, 1865.]

To United States Chargé d'Affaires:

I have been to the Lisargas Islands; there are fragments of a vessel which I believe to be North American, and that its crew are on board the corsair Stonewall. Details by mail.

FUENTES.

[Telegram.—Corunna, February 13, 1865.]

To United States Chargé d'Affaires:

I have just returned from absence caused by important matters to the service, which I will communicate to you seasonably. All the telegrams sent by you yesterday came safely.

FUENTES, *Consular Agent.*

[Telegram.—Vigo, February 13, 1865.—Translation.]

To the United States Minister:

The frigate Niagara has just arrived at Corunna.

BARUNA, *Consul.*

[Telegram.—Lisbon, February 13, 1865.]

Horatio Perry, American Legation, Madrid:

Craven was informed Friday night of impossibility of Sacramento going now. Her re pairs progressing.

HARVEY.

[Telegram.—Corunna, February 13, 1865.]]

Perry, American Chargé d'Affaires:

Pledges were given by the French government to our late Minister Dayton that the ram should not be transferred to the rebels. Cannot Bigelow, at Paris, obtain the intervention of French, with that of the Spanish government, to arrest the ram now fitting out at Ferrol, or to detain her until her case has been thoroughly investigated?

CRAVEN,
Commanding the Niagara.

Mr. Perry to Mr. Seward.

No. 167.] LEGATION OF THE UNITED STATES,
Madrid, February 15, 1865.

SIR: I have the honor to enclose two telegrams, received from Consular Agent Fernandez at Ferrol, and Captain Craven, aboard the Niagara, at Corunna, received at 2 o'clock yesterday.

They inform me of the appearance of a consort of the Stonewall at Ferrol—a steamer under the English flag, with men, ammunition, and other supplies destined for the iron-clad.

I enclose, also, a copy of the note I immediately addressed to Mr. Benavides, and sent it with orders to deliver only into his hands, or those of the assistant secretary.

I then sought Mr. Benavides personally, and found him in the Cortes. We had a short conference in one of the committee-rooms, and the minister started immediately for his department to have the orders I solicited sent off to Ferrol without delay. This was done promptly and resolutely before my note had yet reached Mr. Benavides, who found it afterwards at his department.

I had also seen the assistant secretary of state and Sir John Crampton, to whom I showed the telegrams, and said I should expect his support, if any were necessary, to prevent the operations attempted by this English steamer. No such aid, however, was required.

At night I sent off the telegrams Nos. 6 and 7 to Mr. Fernandez and Captain Craven, and this morning received from Mr. Fernandez telegram No. 8, which informs me that the Niagara had moved over to Ferrol and laid herself alongside the Stonewall; that the latter would be complete in the work permitted her to-day; that my telegram had been received, and that it was all right.

I also sent again to Mr. Harvey the enclosed telegrams, urging the Sacramento to get off for Corunna, and one to Mr. Bigelow, informing him of this new feature in the situation of things at Ferrol.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD, *&c., &c.,*
Washington.

No. 1.

[Enclosure A, despatch No. 167, February 18.]

[Telegram.—Translation.]

Ferrol, 14th February, 11h. 35m. a. m.—Received Madrid, 14th February, 12h. 34m. p. m.

To the Chargé d'Affaires of the United States:

Stonewall will be ready to-day. English steamer came in called Louisa Anna Fanny. Very suspicious; we watch her.

FERNANDEZ.

Sent out at 12h. 40m. p. m., of February 14.

No. 2.

[Telegram.—Corunna, February 14.]

Perry, American Chargé d'Affaires:

I have this moment information of the arrival at Ferrol of an English blockade runner, named Louisa Anna Fanny, with men, ammunition, and other supplies for the Stonewall.

CRAVEN, *Niagara.*

Sent out at 1h. 20m. p. m., of the 14th February.

No. 3.

[Telegram.—Madrid, February 14—1 o'clock p. m.]

To American Minister at Lisbon:

For God's sake get the Sacramento off immediately. The Stonewall will be ready to sail to-morrow. A second steamer under English flag has just entered Ferrol. Very suspicious. Supposed consort of the Stonewall. The Niagara watches both.

PERRY.

No. 4.

[Telegram.—Madrid February 14—3 o'clock p. m.]

The American Minister, Lisbon:

The new-comer is a blockade-runner with men, ammunition, and supplies for the Stonewall.

PERRY.

No. 5.

[Telegram.—Madrid, February 14—3¼ o'clock p. m.]

[Official service.]

To the Chargé d'Affaires of the United States, Paris:

A blockade-runner steamer under English flag has entered Ferrol with men, ammunition, and supplies for the Stonewall. This ship will be ready to sail to-day. The Niagara is vigilant. The Sacramento is still at Lisbon, in spite of all my efforts.

PERRY.

No. 6.

[Telegram.—Translation.—Madrid, February 14—night.]

To the Consular Agent of the United States, Ferrol:

Orders have been given not to permit the transshipment of men, ammunition, and supplies from the Louisa Anna Fanny to the Stonewall, and that the latter should not better her condition in these things whilst she is in Spanish waters. Watch over their execution.

PERRY.

No. 7.

[Telegram.—Madrid, February 14—night.]

Captain Craven, on board Niagara, Corunna:

Peremptory orders have been sent to prevent the Stonewall from taking any men, ammunition, or supplies from the Louisa Anna Fanny, or from any other quarter, while in Spanish jurisdiction.

PERRY.

No. 8.

[Telegram.—Translation.—Ferrol, February 15—9 o'clock a. m.]

To the Chargé d'Affaires of the United States, Madrid:

The Niagara is in this port. The Stonewall, it is now said, will be ready to-day in her works. I received your telegram; am advised all right.

FERNANDEZ.

[Enclosure B.—Despatch No. 167, of February 15.]

Mr. Perry to Mr. Benavides.

LEGATION OF THE UNITED STATES AT MADRID,
February 14, 1865—2½ o'clock p. m.

SIR: I am this moment informed of the arrival at Ferrol of an English steamer with men, ammunition, and other supplies for the Stonewall.

Your excellency will see the impossibility of permitting these men, ammunition, and supplies to be put on board the Stonewall in the jurisdictional waters of Spain without the gravest breach of that neutrality proclaimed in the first article of the royal decree of June 17, 1861.

Your excellency will perceive that this is a new question, entirely distinct and apart from the question of repairs, in which I regret that I have not been able to agree with your excellency, and have thought it necessary to reserve the rights of my government. But I am confident that in this new question there can be no disagreement between your excellency's manner of interpreting the neutral obligations of her Majesty's government under the royal decree and my own, and I beg that orders may be promptly sent to the proper authorities at Ferrol, to prevent the transshipment of men and warlike stores from the recently arrived steamer to the Stonewall; and if this has already been effected in whole or in part, to compel these things to be returned to the state in which they were before these two ships met.

I have the honor to enclose a copy of the first and third articles of the royal decree of June 17, 1861, and take advantage of the occasion to renew to your excellency the assurance of my most distinguished consideration.

HORATIO J. PERRY.

To his Excellency the MINISTER OF STATE *of H. C. M.*

[Translation, royal decree of 17th June, 1861.]

ARTICLE 1. It is prohibited in all the ports of the monarchy to fit out, provision, or equip any privateer vessel, whatever may be the flag she wears.

ARTICLE 3. It is prohibited to the vessels-of-war or privateers with prize to enter or remain for more than twenty-four hours in the ports of the monarchy unless it be in case that they cannot keep the seas. Whenever this case occurs the authorities will watch the vessel and oblige her to get to sea as soon as possible, without permitting her to supply herself with more than what is necessary for the moment, but in no case with arms nor munitions of war.

LEGATION OF THE UNITED STATES OF AMERICA,
Madrid, February 19, 1865.

DEAR SIR: The failure of this government to perform what they had agreed personally with me to do in the matter of repairs to the Stonewall was brought about, as stated, by the fear of the O'Donnell opposition, and the counsel of the representatives of France and England. Mr. Mercier said to me that, in his opinion, his own government had gone too far in the case of the Rappahannock. But I feel called upon to say, in addition, that this government would not have failed me, notwithstanding these motives, if it had not been for another circumstance.

You cannot get it out of the heads of these European governments that an ambassador or a minister is an officer with whom they must guard much more consideration than with a secretary of legation, accidentally chargé d'affaires.

In all cases of persuasion merely an officer of the lower grade will do; but whenever it comes at all to an appreciation not merely of the weight of the arguments adduced, but also to the weight of the authority at the back of the person who uses them, the secretary of legation is at an immense disadvantage. This consideration has been the turning point in the present case. I am informed, in a manner which leaves no room for doubt, that when the state department was pressed to fall back from the decision of no repairs, as already stated, and the difficulty arose that this decision had already been announced to me, it was answered by the reflection that Perry was only a secretary of legation acting *ad interim*, and that they would immediately send all the papers

to Mr. Tassara, who would arrange it with Mr. Seward, and get my action disapproved.

In short, they were not bound nor could they be expected to pay the same attention to a chargé acting *ad interim* as to a minister regularly accredited, and who must be taken to speak with the whole authority of his government. And this argument turned the scale, and the course referred to was adopted.

Faithfully, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr Seward to Mr. Perry.

No. 68.] DEPARTMENT OF STATE,
Washington, February 20, 1865.

SIR: The Europa's mails arrived this morning, and our out-going mails must be closed to-morrow morning.

Your despatch of February 4, No. 162, is received. Collating its statements with telegraphic despatches which speak of a piratical vessel having entered Ferrol for repairs, and with despatches from Nantes and Paris in regard to one or more pirates having been clandestinely fitted out at Houat island, I find it impossible as yet to determine what has happened and what has not happened anywhere; nevertheless, I am able to approve of all your proceedings as they are represented to me. It will be your duty, as you find yourself justified by further developments, to represent to the Spanish government that the United States cannot consent to endure piratical warfare from Europe under the care of an insurrection that is without ports or courts. We ask from the governments of maritime states the enforcement upon their subjects of peace towards us, just as we enforce it upon citizens of the United States towards them. I am glad to learn that the secretary of state for foreign affairs has indicated to you a disposition to maintain these obligations. Now is a propitious time by wise administration to establish the relations between Spain and the United States upon the basis of peace and lasting friendship. Expecting, with much solicitude, the reply of her Catholic Majesty's government to your judicious representations,

I have the honor to be, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c.*, *&c.*, *Madrid.*

Mr. Perry to Mr. Seward.

No. 168.] LEGATION OF THE UNITED STATES,
Madrid, February 20, 1865.

SIR: I had the honor to send you telegrams on the 17th and 18th instant, through our consuls at Liverpool and Queenstown, which will reach you a week previous to this despatch.

I enclose to-day copies of the series of my telegrams on the subject of the Stonewall from the night of the 9th to the night of the 18th instant, 22 in number, a part of which ought to have accompanied my despatches Nos. 166 and 167, as will be seen by their dates and contents.

I am happy to inform you that since my protest of the 9th instant I find the current of this business changed in all quarters, and I trust it is no longer premature to announce that the career of this formidable ram as a vessel-of-war hostile to the United States is now definitively closed.

On the morning of the 10th instant I saw Mr. Mercier, the French ambassador, and put in his hand a copy of my protest of the night before.

He had on his table also a copy of the letter I addressed to Mr. Bigelow, chargé d'affaires at Paris, dated the 8th instant, (enclosure with despatch No. 165, marked D.) Mr. Mercier was evidently moved by these papers; he defended, however, the ground that the Spanish government were bound to allow all those repairs which belonged to the *navigabilité* or seaworthiness of the ship. I maintained the distinction between an iron-clad ram and a wooden ship of the ordinary build, fit for peace or war; but above all, I said, pleasantly but firmly, that the United States were resolved to put an end to this fitting out of naval expeditions in Europe to be used against us in America. The case of the Stonewall lay between France and Spain. The ship had been built, manned and equipped in the waters of France, till it took the full form of a formidable armed expedition against the United States, organized and completed in France, except so far as belonged to the repairs of the ship sought to be made in Spain. It struck me that in so far as the ambassador could magnify the theoretical importance of the work doing in Spain, by just so much would he diminish the part of responsibility belonging to France in this enterprise. I hoped that instead of persuading the Spaniards, as he sought to persuade me, that they could put this machine of war into good working order without engaging their responsibility with the United States, he would consider whether it would not avoid a good many disagreeable complications if we could stop this expedition entirely, just where it is. He said that Mr. Drouyn de Lhuys had sent him no instructions, and there had been plenty of time to send him a telegram if the minister had wished him to take any part in the matter. I inquired whether Mr. Bigelow would have enjoyed a sufficient dergee of contact with Mr. Drouyn de Lhuys to have impressed the latter with the circumstances of this case, as we looked upon them and as he (Mr. Mercier) well knew they would be regarded in the United States. Mr. Mercier gave his testimony to the zeal and ability of Mr. Bigelow, and was certain he would not have left undone anything that could be done. I most heartily concurred in the same opinion, but nevertheless urged Mr. Mercier to himself write to Mr. Drouyn de Lhuys, giving him his ideas of the matter in case that minister might wish to take any action.

That interview closed cordially, without Mr. Mercier's giving me any definite reply, the whole being conducted in the tone of a frank and friendly morning call, with as little of an official air as possible.

On Friday, the 17th instant, Mr. Mercier sent to the Spanish minister of state (Mr. Benavides) a little note enclosing a telegraphic instruction from Mr. Drouyn de Lhuys to Mr. Mercier, informing him that a *commission rogatoire* had issued from the French government to inquire into the circumstances of the abduction of several French sailors by the Stonewall, as was alleged, against their will, and directing him to request the Spanish government to detain that ship until this business could be settled. I saw the original note and the telegram as it was deciphered and sent to the Spanish state department.

Mr. Benavides informed me, on the 18th instant, also, that I was under obligations to Mr. Mercier for many good offices in this business of the repairs of the Stonewall; that he had recently seen him several times, and talked with him in a manner much to favor my pretensions in this matter.

Mr. Mercier, however, has not himself communicated a word to me about his action, since our interview of the 10th instant, which was as related.

On the 11th instant I received from Mr. Bigelow the letter marked B, informing me that no assistance was to be expected from the French government. This letter was written on the 8th instant, the day previous to my protest. The repairs on the Stonewall were diminished, in fact, as reported to you in my No. 166, of 14th instant. On the 15th they were completed, leaving her in such state, that on the evening of the 17th I received the telegram No. 10 from

Ferrol, which explains itself, and was transmitted in substance to you through Mr Dudley, at Liverpool, and to Mr. Bigelow, at Paris, and Mr. Harvey, at Lisbon, the same evening.

On the 18th instant I had a very satisfactory interview with Mr. Benavides, in which I sought and obtained from him the promise that nothing more should be done on the Stonewall.

He requested me to put the substance of what I said into writing, which I did immediately afterwards in the note of the same day, (copy enclosed, marked C,) and I had the satisfaction to send you the telegram No. 23 through our consul at Queenstown, announcing the general result in time for the steamer which sailed a week previous to the one which bears this.

Mr. Benavides informed me that the naval officers at Ferrol also reported that the Stonewall could not go to sea without more extensive and more thorough work being done upon her, but that I was right, and the work could not be done.

He had told Mr. Mercier that he did not know how he could very well give an order to detain the ship merely because he requested it, but that the ship could not leave port with the Niagara stopping the way, even if she were seaworthy, which she is not; and meantime he might write to Mr. Drouyn de Lhuys to send on the *commission rogatoire* in an official form, and it should be executed.

But, I said, you have just notified me that the 24-hours rule would be enforced in the sailing of the Stonewall and the Niagara. Mr. Benavides replied that that was the rule adopted by all nations in such cases; but in answering some observations of mine on the rule, I noticed that Mr. Benavides was not fully convinced that it would stop the Niagara if the Stonewall should get under way, only he hoped that in no event would there be any fighting between the two ships within the Spanish jurisdiction.

He mentioned the admiration of the Spanish naval officers on inspecting the Niagara, and was so good as to congratulate me on the success of my labors to detain the Stonewall, and render her career abortive.

I took advantage of the moment to say how painful it had been to me, after nearly four years of war, in which there had been no complaint, and after fourteen years that I had been in personal contact with her Majesty's government, to be obliged to throw myself into open conflict with him, in a case where I well knew that this government had no interest or sympathy to satisfy, but was only animated by a wish to get rid of an unwelcome visitor as promptly as possible.

Mr. Benavides said that was exact. I remarked, however, that it was the inflexible determination of my government to put a stop to the fitting out of armed vessels in Europe to make war against the United States, and though I knew that this ram had chosen the ports of Spain as the scene of her preparations, much against the pleasure of the Spanish government, yet he must see that I had no course open but to perform my duty.

Mr. Benavides said that I was right, and my government was right; that he had no sympathy at all with the insurgents in rebellion against the government of the United States, and that no more work should be done on that ship.

I have also seen Mr. Banuelos to-day, who has confirmed this promise by informing me that, in view of my note and telegrams of the 18th instant, an official letter had been sent from the state department to that of the navy not to allow any more work to be done on the Stonewall.

I enclose for your information copies of the telegrams received in this legation on this subject from the 12th to the 20th instant, (enclosure D.) Also enclosure E, three letters from the consular agent at Coruna, giving valuable information. Enclosure F, two letters from Mr. Fernandez, at Ferrol, one of which marked private, in which he informs me that he was performing his

duties under the severe affliction of the loss of his wife by death on the 2d instant, will call your attention.

I trust that the most just claim of this old and valuable servant of our government for relief, presented to you in Mr. Koerner's despatch No. 74, of January 21, 1864, and again by me in No. 148, of December 11, 1864, will not be passed by unheeded. His services on this occasion have been excellent. You will notice his testimony to the effect that the vigilance exercised by the authorities over the Stonewall has been vigorous and effective.

Enclosure G, a private note from Mr. Banuelos, also confirms for you the fact that no transshipment of effects from the tender Louisa Anna Fanny to the Stonewall was allowed. The former then sailed for Bermuda, according to the accounts of the authorities which I saw at the state department in Madrid. If the Sacramento could have been at her post she would not have escaped. I am told that this ship is at last nearly ready to sail from Lisbon.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Enclosure A.—Despatch No. 168.]

Case of the Stonewall at Ferrol.—Telegrams sent out by Mr. Perry, from February 9, at night, to February 18, at night, 1865.

No. 1.

[Telegram.—February 9, at night.]

His Excellency the Minister of the United States, Lisbon:

Has the Sacramento sailed? Let her lose no time. I am afraid the ram will be off to-morrow.

PERRY.

No. 2.

[Telegram at 9½ a. m., February 10, 1865.]

M. le Chargé d'Affaires des Etats Unis à Paris:

Le corsaire Stonewall s'en ira probablement demain.

PERRY.

No. 3.

[Telegram at 9½ a. m., February 10, 1865.]

[Official service.]

His Excellency the Minister of the United States, London:

The confederate iron-clad ram will probably start again for Ferrol to-morrow.

PERRY.

No. 4.

[Telegram at 9½ o'clock p. m., February 10, 1865.]

To the American Minister, Lisbon:

If that ship cannot move forward immediately to help Captain Craven on the scene of action, she certainly is in a most unfortunate condition.

PERRY.

No. 6.

[Telegram at 4 p. m, February 11, 1865.]

James E. Harvey, Minister of the United States, Lisbon:

Niagara has just arrived at Corunna. Let the Sacramento lose no time in going to join her. The corsair badly damaged is still at Ferrol. Lose no time.

PERRY.

No. 7.

[Translation.]

[Telegram at 4½ p. m., February 11, 1865.]

Sr. Fernandez, Consular Agent of the United States at Ferrol :

Send a reliable person aboard the frigate to inform him immediately.

PERRY, *Chargé d'Affaires.*

No. 8.

[Telegram at 4½ p. m., February 11,1 865.]

To Captain Craven, abordo la fragata de guerra Niagara, en Corunna :

Welcome, captain. The Sacramento coming round from Cadiz has stopped at Lisbon for repairs. I have used every exertion to get her started again. Better send her a telegram direct from yourself.

The Chargé d'Affaires, PERRY.

No. 9.

[Translation.]

[Telegram at 9 o'clock a. m., February 12, 1865.]

United States Consular Agent at Corunna :

Why don't you communicate to me the arrival of a vessel-of-war at your port? What vessel is it? Who commands ? Has the captain received a telegram from me?

The Chargé d'Affaires, PERRY.

No. 10.

[Telegram at 9 a. m., February 12, 1865.]

M. le Chargé d'Affaires des Etats Unis, à Paris :

The Niagara has arrived at Corunna. The Stonewall at Ferrol commencing repairs. The Sacramento at Lisbon making repairs. Your telegram not official has been received.

PERRY.

No. 11.

[Telegram at 10 o'clock p. m., February 12, 1865.]

Al Capitan Craven, aborda la fragata de guerre Niagara, Corunna :

The ram is fothering her helm-ports, reported to need three days, but keep a sharp look out at night ; she is fast. The agent at Ferrol, Antonio J. Fernandez, is trustworthy. No news from the Sacramento.

PERRY.

No. 12.

[Telegram at 10 p. m., February 12, 1865.]

Mr. Harvey, Minister United States, Lisbon :

Has the Sacramento started ? Captain Craven expects her at Corunna.

PERRY.

No. 13.

[Telegram at 1 p. m., February 14, 1865.]

Mr. Harvey, American Minister at Lisbon :

For God's sake get the Sacramento off immediately. The Stonewall will be ready to sail to-morrow A second steamer under English flag has just entered Ferrol, very suspicious. Supposed consort of the Stonewall.

PERRY.

No. 14.

[Telegram.—February 14, 1865.]

Mr. Harvey, American minister, Lisbon:

The new-comer is a blockade-runner with men, ammunition, and supplies for the Stonewall.

PERRY.

No. 15.

[Telegram at 3¼ o'clock p. m., February 14, 1865.]

M. le Chargé d'Affaires des Etats Unis à Paris:

A blockade-runner steamer under English flag has entered Ferrol with men, ammunition, and supplies for the Stonewall. This ship will be ready to sail to-day. The Niagara is vigilant. The Sacramento is still at Lisbon in spite of all my efforts.

PERRY.

No. 16.

[Translation.]

[Telegram.—February 14, at night.]

To the Consular Agent of the United States at Ferrol:

Orders have been given not to allow the transshipment of men, munitions, and supplies from the Louisa Ann Fanny to the Stonewall, and that she should not better her condition in these respects while in Spanish waters. Watch over its execution.

PERRY.

No. 17.

[Telegram —February 14, at night.]

Capitan Craven, abordo del Niagara, Corunna:

Peremptory orders have been sent to prevent the Stonewall from taking any men, ammunition, or supplies from the Louisa Ann Fanny, or from any other quarter, while in Spanish jurisdiction.

PERRY.

[No. 18.]

[Telegram.—February 16, 1865.]

Captaim Craven abordo la fragata Niagara, Ferrol:

I have been notified that the 24-hours rule will be enforced in the sailing of Niagara and Stonewall. The Louisa Ann Fanny has gone to Bermuda, by official accounts.

PERRY.

No. 19.

[Telegram.—February 16, 1865.—Translation.]

To Fernandez, U. S. Consular Agent at Ferrol:

Orders have been given that 24 hours *must elapse* between the sailing of the Niagara and the Stonewall. The English steamer has been to Bermuda according to official news.

Notify Captain Craven.

PERRY.

No. 20

[Telegram.—Madrid, Friday night, February 17, 1865.]

[Official service. To Secretary of State, Washington.]

Thomas Dudley, United States Consul, Liverpool:

The repairs granted to rebel ram at Ferrol are finished, but she is reported incapable of service. I oppose more work. Her commander starts for Paris. Her constructor expected from Bordeaux. Niagara vigilant. Sacramento not arrived.

PERRY.

No. 21.

[Telegram.—February 17, 1865.]

James Harvey, American Minister, Lisbon:

Repairs on Stonewall limited; since finished is reported in very bad condition; cannot go to sea; leaks badly; her commanner starts for Paris; her builder expected from Bordeaux. Consul says will have to be abandoned. Niagara vigilant. Where is Sacramento?

PERRY.

No. 22.

[Telegram.—February 17, 1865.]

M. le Charge d'Affairs des Etats Unis à Paris:

Limited repairs on Stonewall are finished; reported, notwithstanding, in very bad condition; cannot go to sea; leaks badly; her commander starts for Paris; her builder is expected from Bordeaux; consul says will have to be abandoned. Niagara at Ferrol; Sacramento not arrived; letter by mail.

PERRY.

No. 23.

[Telegram.—Night of the 18th of February, 1865.]

[To Secretary of State, Washington.]

Eastman, American consul, Queenstown, Cork:

Spanish minister will not allow more work on Stonewall. The ship is wholly unseaworthy. Her commander has started for Madrid. Slidell is also expected here.

PERRY.

B.

LEGATION OF THE UNITED STATES,
Paris, February 8, 1865.

DEAR SIR: I was gratified to learn by your telegrams of Monday and to-day that the Stonewall can be detained a few days; that will suffice for the frigate Niagara, Captain Braven, which I presume left Dover on Monday to reach Ferrol.

The French government decline to meddle with the Stonewall in Spain. Their theory, to which they will naturally adhere as long as possible, is that she was a Danish vessel till she went into confederate hands, and that it is for Denmark and not for France to intercede with Spain for her detention.

As no assistance is to be expected from this quarter, you will need no suggestions from any one to use every proper influence with the Spanish government to detain the Stonewall, at least until you hear from our government.

I do not know the relative strength of the two vessels, but the result of a conflict between the Stonewall and Niagara might be sufficiently uncertain to make it bad policy to risk one unnecessarily. Upon that point, however, Captain Craven is a competent authority. The Stonewall carries one 300-pounder and two 120-pounders, I am told, in addition to any guns she may have received the other day from the Duke of Richmond.

I remain dear sir, your very obedient servant,

JOHN BIGELOW.

Hon. HORATIO J. PERRY,
Legation of the United States.

LEGATION OF THE UNITED STATES,
Madrid, Sunday, February 12, 1865.

DEAR SIR: I send my despatch of February 8, with enclosures, for Mr. Seward, through you, as the shortest way of giving you an idea of the affair here. Pray do not let it miss the Cunard steamer of this week, as I know the Spanish government has made up a large package to be sent to Mr. Tassara at Washington, and our side of the question ought to be there by the same steamer without fail.

I am preparing the enclosures of another despatch, bringing the history down to to-day, and will send it also through you, if it can be done in time so as not to miss the steamer by passing a day in your hands.

The Niagara is on the ground at Corunna in good time. The Stonewall has been obliged to lighten ship to get at the work she requires to be done, and is delayed. Perhaps she will not be so prompt to leave now the Niagara bars the way. But I am not content with the Sacramento. It looks a good deal as if she was afraid. He started on the 4th from Cadiz, where he has been idle for near two months, but I found him putting in at Lisbon for repairs, and when he heard the corsair was an iron-clad, Mr. Harvey sends me word he would need ten days for his repairs. I trust the news of the arrival of the Niagara will have the effect to make him move on. I have had bad reports from Cadiz about the loyalty of some of the officers of this ship. Have you ever heard anything of the kind?

Yours faithfully, &c., &c.,

HORATIO J. PERRY.

JOHN BIGELOW, Esq., *&c., &c., Paris.*

P. S.—I have your letter in which you inform me that nothing is to be hoped from the French government. I am afraid Mercier's intervention or conversation on this subject here has been positively injurious; he sustains a *point de vue* entirely distinct from my own, as do most other Frenchmen.

H. J. P.

[Enclosure C. with No. 168.]

Note of Mr. Perry to Mr. Benavides.

LEGATION OF THE UNITED STATES AT MADRID,
February 18, 1865.

SIR: I have the honor to transmit enclosed copies of telegrams, received from the consular agents of the United States at Ferrol and Corunna, from which it appears that since the repairs done to the rebel iron-clad ram Stonewall are finished, she is still found to be incapable to do service as a vessel-of-war on the high seas. The difficulty consists, as I am informed, not in the damage or breakage of any particular part sustained by accident in her previous navigation, for these have already been repaired, but in certain radical defects and incompleteness in her construction. She needs to be wholly rebuilt, the defects of her construction remedied, and what was left incomplete supplied, before she will be fit for service.

For this purpose her builder is expected from Bordeaux, and what was not permitted by the imperial government to be done in the ports of France, it is hoped may now be accomplished at the naval arsenal of Ferrol. I respectfully submit to your excellency that this phase of the question now clearly apparent, takes this ship entirely out of the provisions of the 3d article of the royal decree of June 17, 1861, and places her unmistakably within the scope of the prohibition of the 1st article of that decree.

It has been my duty to protest and reserve the rights of my government entirely in the matter of any and all repairs to this iron-clad ram, but I do not hesitate to say that the repair of any accidental damage sustained in navigation is one thing, and the reconstruction of this vessel, or the completion of her construction, in a Spanish port, would be quite another, and a much graver thing under every light in which it can be viewed.

The first kind of repairs have been granted to this ship, and completed, as I understand, in obedience to a theory or principle not acquiesced in by me, but which your excellency will not fail to defend with recognized ability in the intelligence that it involves no offence, certainly no intentional offence, to the government of the United States.

But would your excellency defend the rebuilding or completion of this ram in Spanish ports by any argument under any theory either of the general relations of peace and friendship which her Catholic Majesty professes towards the government of the United States, or of those duties of so-called neutrality which Spain imposed upon herself in the royal decree of June 17, 1861?

Is there any difference of principle between the total building of this ship in a Spanish port and the partial building and completion of the vessel which it seems her owners find it convenient to undertake within this jurisdiction?

If this steam ram is not, and never has been, capable to undertake hostilities against the United States, and seeks now to be put in condition for the first time in a Spanish port to commence those hostilities, what does it matter practically to my government, or theoretically to the principles involved, whether she has been built from her keel upwards at the same port?

It would hardly be complimentary to the clear perception of your excellency to insist further in these reflections; I beg, therefore, to submit the facts in the firm conviction that the repairs of these damages which the naval authorities of her Majesty considered might be fairly attributed to the accidents of navigation. Being already furnished, your excellency will not, at least, grant me the assurance that nothing more shall be done, and that the faults or incompleteness of the original construction of this machine of war shall not be supplied or remedied in the ports of her Catholic Majesty.

On my own part I shall take a most sincere pleasure in transmitting such an assurance

promptly to my government, as calculated, in my opinion, to attenuate the importance of the disagreement marked by my protest of the 9th instant.

I avail myself of the occasion to renew to your excellency the assurance of my most distinguished consideration.

HORATIO J. PERRY.

His Excellency the MINISTER OF STATE *of her Catholic Majesty.*

No. 1.

[Telegram.—Ferrol, February 15, 9h. 12m. a. m.—Translation.]

The Consular Agent of the United States to the Chargé d'Affaires.

The Niagara in this port. The Stonewall to-day, they say, will be ready. I received telegram—am informed.

FERNANDEZ.

No. 2.

[Telegram.—Ferrol, 13th February.—Madrid, 4h. 25m. p. m.]

Stonewall through with repairs. Niagara getting ready. I am ignorant of the day of departure of the first.

FERNANDEZ.

No. 3.

[Telegram.—Ferroll, 17th February, 4h. 45m. p. m.]

Stonewall unable to go out. Much water. Her commander goes to Paris. Her builder is expected from Bordeaux I think she is abandoned. Niagara in port. We receive telegrams.

FERNANDEZ.

No. 4.

From the Consular Agent at Corunna to the Chargé d'Affaires of the United States.

[Telegram.—Corunna, February 18.]

The confederate captain of the Stonewall has gone to Madrid and Paris.

FUENTES.

No. 1.

[With No. 168.—Translation.]

[Telegram.—Coruna, February 12, 1865.]

To the Chargé d'Affaires of the United States:

I have just come back from an absence caused by important matters of duty, which I will communicate to you seasonably. The telegrams from you on yesterday are received.

FUENTES,
Consular Agent of the United States.

No. 2.

[Telegram.—Corunna, February 13, 1865.]

I have been to the Lisargas islands. There we found fragments of a vessel which I think North American, and that her crew is on board the Stonewall. Particulars by mail.

FUENTES.

No. 3.

[Official despatch.—Telegram.—Corunna, February 12.]

Perry, American Chargé d'Affaires:

Pledges were given by the French government to our late minister, Dayton, that the ram should not be transferred to the rebels. Cannot Bigelow, at Paris, obtain the intervention of French with that of Spanish government to arrest the ram now fitting out at Ferrol, or to detain her until her case has been thoroughly investigated.

CRAVEN,
Commanding the Niagara.

Memorandum—This was answered immediately to the effect that Mr. Bigelow and myself had already done everything which could be done, and that there was no reliance to be placed on anything except his guns.

No. 4.

[Telegram.—Vigo, February 13, 1865.]

To the United States Minister:

The Niagara has just reached Corunna.

BARCENA, *Consul.*

No. 5.

[Telegram.—Ferrol, February 14, 1865.]

To the Chargé d'Affaires of the United States of America:

Stonewall will be ready to-day. English steamer came in called the Louisa Ann Fanny. Very suspicious. We watch her.

FERNANDEZ.

No. 6.

[Telegram.—Corunna, February 14, 1865.]

Perry, American Chargé d'Affaires:

I have this moment received information of the arrival at Ferrol yesterday of an English blockade-runner, named Louisa Ann Fanny, with men, ammunition, and other supplies for the Stonewall.

CRAVEN, *Niagara.*

No. 7.

[Telegram.—Ferrol, February 15, 1865.]

To the Chargé d'Affaires of the United States:

The Niagara at this port. The Stonewall, they say, will be ready to-day. I received the telegram.

FERNANDEZ.

No. 8.

[Telegram.—Corunna, February 15.]

Hon. Horatio Perry, Chargé d'Affaires of the United States of America:

Niagara left for Ferrol last night. All your surmises stated in your communication of the 9th are true.

FUENTES.

No. 9.

[Telegram.—February, 1865.]

To the Chargé d'Affaires of the United States:

Stonewall repairs finished. Niagara getting ready. I am ignorant of the day of departure of the first.

FERNANDEZ.

No. 10.

[Telegram.—February 17, 1865.]

To the Chargé d'Affaires of the United States:

Stonewall unable to go out. Much water. Her commander goes to Paris. Builder is expected from Bordeaux. I think she is abandoned. Niagara in port. We receive telegrams.

FERNANDEZ.

No. 11.

[Telegram.—Corunna, February 18.]

Mr. Perry, Chargé d'Affaires of the United States:

The captain of the confederate Stonewall has gone to Madrid and Paris, it is said, to buy another vessel for the south.

FUERTES.

No. 12.

[Telegram.—Lisbon. February 18.]

Horatio Perry, American Legation, Madrid:

Has Stonewall been allowed to repair at Ferrol, as alleged in Spanish papers?

HARVEY.

No. 13.

[Telegram.—February 20, 12.15 p. m.]

To the Chargé d'Affaires United States, Madrid:

No news. Stonewall the same. The Sacramento is expected.

ANTONIO FERNANDEZ.

[Enclosure E, with No. 168.]

CONSULAR AGENCY OF THE UNITED STATES,
Corunna, February 8, 1865.

HONORABLE SIR: I beg leave to acknowledge the receipt of your telegram of the 4th instant. Pursuant to your instructions, I have protested with the utmost energy before the proper authorities of Corunna and Ferrol. The captain general of this province informs me that he has forwarded copies of my protest to the minister of war at Madrid and captain general of marine at Ferrol.

The Stonewall is now at Ferrol, for which port she left yesterday, with the object of getting her repairs executed at a private arsenal. The above-mentioned privateer is seriously damaged by a leak on her bows, and she has a crew of about eighty men. I shall be happy to act upon your excellency's instructions.

I am, sir, very respectfully, your obedient servant,

A. G. FUENTES,
U. S. Consular Agent.

His Excellency the MINISTER *of the U. S. of America at Madrid.*

8 O'CLOCK, p. m.

I have received this moment a telegram from the captain general of marine at Ferrol, informing me that, in regard to the repairs of the Stonewall, he will act according to the instructions he has received from his government.

FUENTES.

[Translation.]

CONSULAR AGENCY OF THE UNITED STATES OF AMERICA,
Corunna, February 2 1865.

I have the honor to inform you that yesterday afternoon there entered this port, with serious damages, the confederate screw steamer Stonewall, arriving from Copenhagen. This is a ship-of-war, iron-clad, and with a ram. She was purchased a few days since at Copenhagen, and has on board the officers and crew of the ship of the same class, the Florida. It is probable she may go on to Ferrol, at which place she will remain some time for the repair of the serious damages. There is also a possibility that her presence on this coast may relate to the burning of a vessel which, arrested by a storm, got aground among the Lisargas islands, and which, according to all the notices that have reached me, combines all probabilities that she is North American. I am engaged in elucidating all that is positive in this respect, and in season, in fulfilment of my duty, will bring to your knowledge the result of my investigation.

I salute you, consul, with my most distinguished consideration.

ANTO. GRA. FUENTES,
Consular Agent.

CONSUL *of the United States, Vigo.*

[Translation.]

CONSULAR AGENCY OF THE UNITED STATES OF AMERICA,
Corunna, February 13, 1865.

I have the honor to bring to your knowledge that, on the 14th of January last, a ship grounded on the greater island of Lisargas, which had been burned—apparently of about two thousand tons, coming from the southward. The ship, which had been noticed at some distance, was completely abandoned, and had no crew. Having heard she belonged to the United States of America, I went at once to the scene of the disaster, and, from the fragments picked up by residents on the island, who declared they had seen the North American flag floating among the waves—because of the combination of colors painted on a shield which formed part of the poop of the shipwrecked vessel, by her build, and the cargo of timber she contained—I in fact satisfied myself that the vessel burned was doubtless one of the ships which come periodically to the ports of Cevaca and Ferrol with spars and timber for the Spanish government.

The cruiser Stonewall having come to this port a short time afterwards, and which might, perhaps, be the author of the destruction of said vessel, I determined to visit the confederate ship incognito, and gather some data that might, in one case or another, be useful to the government of the republic which I have the honor to represent. This plan I could not successfully carry through; but I satisfied myself, from the surprise and confusion manifested by the crew of the confederate vessel, on listening to well-dissembled interrogatories, that they had been the cause of the disaster anticipated, and that the crew of the vessel fired was then on board in the hold.

This was the cause I was not at my post on the arrival at this port of the United States frigate Niagara, Captain Craven. All your telegrams have been received. The confederate cruiser continues at Ferrol, repairing damages. It is supposed she has obtained leave of the government for this purpose.

I salute you with the most distinguished consideration.

A. G. FUENTES.

The CHARGÉ D'AFFAIRES *of the United States at Madrid.*

The steam-ram Stonewall was built at Bordeaux, and left the above-named port with a Danish crew; was transferred to the rebels at sea, with her present armament on board. The Danish coat-of-arms is still attached to the stern of said vessel. She was, by avowed intention, looking after the United States frigates Niagara and Sacramento, when a severe leak about her stern obliged her to enter this port for repairs. Forty men from a private ship-yard are doing the repairs, aided by shipwrights from the arsenal at Ferrol. The decks of the Stonewall are of wood, with plating of iron one inch thick beneath.

[Enclosure F, with No. 168.]

FERROL, *February* 13, 1865.

SIR: I have the honor to acknowledge the receipt of your kind letter of the 9th instant. In reply to the same I beg you to allow me to manifest to you that, being a faithful servant of the wise government of Washington during twenty-eight years, I am disposed to make all kinds of sacrifices in the present circumstances to fulfil my duties, and assure you I do not rest.

I have also to inform you that my worthy friend Mr. Palm, engineer at this dock-yard, (and a true American,) renders me a great service in obtaining many particulars regarding the Stonewall, and in sight of your telegram, I send him to Corunna to see the commander of the Niagara, to give him knowledge of all. The Stonewall, according to the general report of her crew, was built at Bordeaux, and went to Copenhagen; armament and crew were furnished by an English vessel, whose name I have not been able to ascertain; and said vessel will be ready for sea in course of three or four days, and I will be disappointed if she does not fall into the hands of our ships, and with more reason, as it is the intention of the captain to destroy all merchant vessels she may find in her way to America.

Sorry you have taken the trouble to send me the letter of credit; the expenses at present are only for telegrams to you.

I beg you, sir, to acknowledge my gratitude for your kind attention to my just claim, and hope justice will be made to me by our government, to whom I sincerely wish prosperity and victory, and remain, sir, your most obedient servant,

ANT. Y. FERNANDEZ.

HORATIO J. PERRY, Esq.,
United States Chargé d'Affaires, Madrid.

[Enclosure G, with No. 168.]

Mr. Banuelos to Mr. Perry.

MINISTERIO DE ESTADO, *February* 16, 1865.

DEAR SIR: I have been waiting for you two hours. I wish to see you a moment, and will be en ministère this evening, not being able to go to Rue d'Alcala to present mes homages a Mme. Perry.

No transshipment allowed à ce soir.

Yours, sincerely,

M. BAÑUELOS.

Mr. Perry to Mr. Seward.

No. 169.] LEGATION OF THE UNITED STATES,
Madrid, February 25, 1865.

SIR: I have the honor to transmit enclosed the translation of Mr. Benavide's note to me of 21st instant, in reply to mine of the 18th instant, which was forwarded as enclosure C of despatch No. 168, of February 20th. This note confirms the result announced to you in that despatch. Last night in company I saw Mr. Benavides, and inquired of him if this note was intended to be the end, or whether repairs on the Stonewall would ever be recommenced in this jurisdiction. Mr. Benavides said no; that this was the end of repairs on that ship, and that such was the meaning of his note.

He then said, pleasantly, I think you have caught this one, meaning the Stonewall, and asked me what force we had there watching her. I told him we had the Niagara and Sacramento, and that both ships had moved over to Corunna, probably to avoid the operation of this twenty-four hours rule. As he appeared not to be at all chagrined at the announcement of this idea, I then said in the same tone that he must remember there was a point loose in his diplomacy as regarded the enforcement of the twenty-four hours rule in this case. He had officially stated to me that the Spanish government had not power enough at Ferrol to detain the Stonewall if she chose to go. How could he pretend to stop our ships from following the Stonewall if he could not give me the guarantee that they might not be followed for twenty-four hours by the iron-clad, in case ours should wish to leave first? Mr. Benavides laughed, and without answering this question, turned the conversation by saying that he was persuaded the Stonewall would not start.

A telegram from the consular agent at Ferrol, on the evening of the 23d, informs me that the Stonewall continued leaking; that nothing happened, and he would advise me of anything new.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Received and read at the legation at Paris, March 1, 1865, and posted same day.

BIGELOW.

[Translation.]

DEPARTMENT OF STATE,
Palace, February 21, 1865.

SIR: I have had the honor to receive your note of the 18th instant, in which you are so good as to manifest to me, referring to telegraphic despatches of the consular agent at Ferrol, that, after the termination of the repairs on the iron-clad steamer Stonewall, this vessel is still not in a condition to take the seas because of certain radical defects of construction which you solicit may not be permitted to be remedied in the ship-yard of the said port of Ferrol, nor in any other in Spain.

The reasons which you present in support of your wishes have been duly appreciated by the government of the Queen, which, being convinced of its duty not to separate its conduct from the line marked out for it in the royal decree of June 17, 1861, has dictated the proper orders that it be thus done in the case to which you refer.

The minister of marine, confirming the orders previously communicated that the repairs which might be made on the Stonewall should not be such as to better her military or sea-going qualities, has instructed the naval authority at Ferrol to strictly comply with those orders, and not to permit any other work on the said vessel than that qualified by the commandant of naval engineers as indispensable to repair the particular damage which obliged her to come into the port where she now is.

I take pleasure in believing that you will find this resolution of her Majesty's government in accordance with the suggestions of the note to which I reply, and I avail myself of this occasion to renew to you the assurance of my distinguished consideration.

A. BENAVIDES.

CHARGÉ D'AFFAIRES *of the United States.*

Mr. Seward to Mr. Perry.

No. 70.] DEPARTMENT OF STATE,
Washington, February 27, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch of January 31, No. 161, which gives me a very clear and succinct account of a recent debate in the Spanish senate upon the ministerial project for the abandonment of the war in San Domingo. Accept my thanks for it. I see that apprehensions of possible future hostility on the part of the United States entered largely into this debate. If I had been near by I would have whispered to the statesmen of Spain that there is one national passion which the United States have not developed, and are not likely to develop as strongly as other states, namely, the passion of conquest. There is another which they cherish more than any nation, that is, the love of national unity. The latter is harmless to foreign powers, while it tends to procure domestic peace and tranquillity, always essential to the public prosperity and happiness. If, at last, Spain has been satisfied that the American Union will survive the fearful revolution by which it has so long been assailed, an official word in acknowledgment of that fact would soothe all existing asperities, and confirm in regard to her the good will and friendship which it has been your duty and mine to preserve through recent trials painful to both countries.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., Madrid.*

Mr. Perry to Mr. Seward.

No. 171.] LEGATION OF THE UNITED STATES,
Madrid, March 5, 1865.

SIR: I have the honor to enclose copies of an interesting correspondence with Commodore Craven, which will afford you a better idea of the situation of things at Ferrol than any I could give otherwise.

My telegram of this morning refers of course to the gallant commodore's *temptation*, as related in his letter.

The consular telegram from Ferrol, and the commodore's from Corunna, bring the accounts down to the date of ———. My telegram just forwarded to you through our consul at Queenstown, to be put aboard the Cunard steamer of to-day from that port.

A copy goes enclosed; and I have the honor to remain, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[A No. 1, enclosed with despatch No. 170.]

LEGATION OF THE UNITED STATES,
Madrid, February 23, 1865.

DEAR SIR: The press of business in this legation has prevented me from addressing you in writing till to-day. You will have received various telegrams, however, and I have to acknowledge receipt of several from you.

It is proper to-day for me to give you some information of what has been done in the matter of the steam ram Stonewall now under your supervision at Ferrol; and as there is certainly a moment of quiet, if not a definitive legal detention of that ship, I hasten to trace briefly the history of the case and its present condition. I was informed on the evening of the 3d instant of the arrival of the rebel ship at Corunna.

Before daylight on the 4th telegrams were sent to London, Paris, Ferrol, Corunna, Lisbon, Cadiz, and Gibraltar—one of which, I suppose, was the means of your getting notice, and another sent off the Sacramento from Cadiz.

On the 4th I saw the Spanish minister, and claimed that no repairs should be allowed to the corsair; a formal note was also addressed to the Spanish government to the same effect. The consuls had been ordered to protest before the local authorities at Corunna and Ferrol, and this delayed the repairs till the resolution of this government should be taken.

After this first action you will find the history of the case in press copy of my despatch No. 164 of February 8, addressed to Mr. Seward at Washington.

That situation continued until the evening of the 9th, when the Spanish government, under the influence of the counsel they had taken from the representatives of France and England, and in fear of the very powerful opposition of the O'Donnellite party in the chambers, which party had published the royal decree of June 17, 1861, and made a precedent under it in the case of the Sumter at Cadiz in June, 1862, fell back from their verbal arrangement with me not to allow any repairs, and ordered such repairs to be made as were indispensable for the security of the crew of the Stonewall at sea, and that ship to be then ordered to immediately leave the port.

My despatches Nos. 165 and 166 to Mr Seward would give you the details of all this, but the only unregistered copies I have are now in the hands of Mr. Bigelow at Paris for his information.

I enclose, however, a copy of my protest delivered to the Spanish government on the evening of the 9th, which again had the effect to bring them up, and limited the repairs which they had decided to permit to so insignificant an amount in point of fact, compared with what the ram really needed to be done, that I trust what was done will prove to be useless.

I send also copy of the official letter I wrote on the 8th instant to Mr. Bigelow, at Paris, in order to strengthen his hands with Mr. Drouyn de Lhuys, and see if that government would not aid us to stop the Stonewall.

Meantime all this had had the effect to gain time, and the Stonewall was not able to commence her limited repairs till after your welcome arrival at Corunna.

I had been greatly chagrined and disappointed at the failure of the Sacramento to appear

when she was needed, but your own most opportune arrival secured in fact the practical success of this little diplomatic campaign, and effectually stopped the career of the most formidable pirate the rebels have been able to hoist their flag over outside their own military lines.

It will be interesting to you, however, to know the subsequent course of events here and in Paris.

The enclosed letter from Mr. Bigelow of even date with mine to him will show how little dependence can be placed on that government to do any thing in our favor until they are obliged to.

My despatch No. 168, of 20th instant, will tell you the rest of the story, and show the precise situation of the Stonewall at present in a legal and diplomatic point of view. You will know her condition in point of material impediments to her departure much better than I, and I beg you to let me have your opinion as to her capability of going to sea in her present condition, and whether the means at your command are sufficient to control her. You will, of course, know what to do about the 24 hours rule without any advice from me. I have only to say that if that rule should be infringed, I will undertake to fight out the diplomatic battle which would ensue in such a way that the service of the United States shall not be prejudiced.

You will notice in my No. 164 to Mr. Seward that I have been officially informed by the Spanish government that Spain has not power enough at Ferrol to detain the iron-clad if she chooses to go. What right has Spain, then, to pretend to detain you for 24 hours after the departure of the Stonewall, if she has not, according to her own confession, power enough to detain the Stonewall for 24 hours after the departure of your wooden ships? If she cannot give you the security that your poor little wooden ships will not be followed and devoured by this iron monster as soon as you leave port, how can she pretend that the monster shall not be followed by you in case you should take a fancy to bite his heels even at the risk of your own total destruction? This is a point loose in the network of their diplomacy which I do not propose to mention till it is needed, but which you have a right to know for your own use in the way which may seem most proper to yourself.

I have to say also that the government at Washington must have received my telegram, copy of which goes enclosed on or before the 15th instant. I have advice from our consul at Queenstown that it arrived in time to be put aboard the Asia same day, and that he had ordered it to be telegraphed on from Halifax by the consul at that port. It is very probable, therefore, that you may see your squadron promptly re-enforced by ships sent out from America.

Pray do me the favor to return the press copies of documents which accompany this after perusal.

I am, sir, with great respect your obedient servant,

HORATIO J. PERRY,
United States Chargé d'Affaires.

Commodore THOS. T. CRAVEN,
Aboard Flag-ship Niagara, at Corunna.

A No. 2.

U. S. SHIP NIAGARA, CORUNNA, SPAIN, *February* 28, 1865.

DEAR SIR: I had the honor of receiving yesterday your despatch of the 23d instant, with accompanying copies of your several despatches to our Secretary of State at Washington and to our charge d'affaires at Paris, giving full and very interesting information of what has been done in the matter of the pirate ram Stonewall. You ask my opinion as to her capability of going to sea in her present condition. I can only answer this by stating thus: from the information I received on my arrival here, and from what I have been able to see of that vessel, and learn from our agent and the authorities at Ferrol, providing that the information can be relied on, she is ***not***, at this time, in a seaworthy condition. The leak has been but imperfectly stopped and might at any time break out and become as inconvenient as ever.

Notwithstanding the pledges given you by the Spanish minister, that strict orders had been issued to the commandant at Ferrol not to allow any repairs, except such as were indispensable for the security of the crew of the Stonewall at sea, to be put upon her; notwithstanding the assurances of the naval commandant at Ferrol that those orders had been strictly obeyed, and notwithstanding I place implicit confidence in the honesty of purpose, and of these assurances, I cannot help feeling that, in spite of their care and watchfulness to prevent it, the pirates have had the opportunity and have clandestinely improved their time, and have done much more than they have proposed to do towards not only the repairs, but to the fitting out of their vessel in the bay of Ferrol. Besides other occupations they were busily engaged for one or two days after my arrival at that port in filling up their shells and otherwise preparing their battery for work. The Stonewall is a very formidable vessel, about 175 feet long, brig rigged, and completely clothed in iron plates of five inches in thickness. Under her top-gallant forecastle is her casemated Armstrong 300-pounder rifled gun; in a turret abaft her mainmast are two 120-pounder rifled guns, and she has two smaller guns mounted in broadside. If as fast as reputed to be in smooth water, she ought to be more than a match for three such ships as the Niagara. Should we be so fortunate, however, as to

catch her out in rough weather, we might possibly be able to put an end to her career. Our main chance now depends upon the possibility of detaining her where she is until the government sees fit to send out proper re-enforcements. In the mean time, and in any event, I shall strive to do my duty.

As the Spanish authorities have acknowledged their inability to prevent the egress of the Stonewall from Ferrol, why have I not the right, "in self-defence," to seize upon the opportunity to run her down in that harbor? I feel sorely tempted to try it, and were she in a French port, with the same good reason holding, I should not long hesitate to hazard the die.

In order that you may understand fully the part that I have taken in this matter, I enclose herewith a copy of part of a letter which I addressed to Mr. Bigelow, on the 20th instant. I wished to send you the entire copy of that despatch, but it has not been copied in my letter-book, and I cannot now lay my hands on the missing finishing clause, which was, however, merely introducing a gentleman who kindly volunteered to bear my despatches to Paris, and is of no importance.

Thanking you, sir, for your very kind consideration in loaning me those press copies of your correspondence, (which are herewith enclosed,) and with heartfelt thanks for the bold stand you have taken, and my warmest congratulations upon the very able and felicitous manner in which you have handled this case of the Stonewall,

I am, with great respect, your obedient servant,

THOS. T. CRAVEN, *Commodore U. S. Navy.*

Hon. HORATIO J. PERRY,
American Chargé d'Affaires, &c., &c., Madrid,

A No. 3.

[Telegram.—Madrid, March 5, 1865—9 a. m.]

To Commodore Craven, aboard war-frigate Niagara, Corunna:

I have your letter. Thanks. My impression is clear that you had better not.

PERRY.

B No. 2.

[Telegram.—Corunna, March 4.—6h. 28m. p. m.]

Hon. H. J. Perry, American Chargé d'Affaires:

Thanks for your glorious news. Hurrah! Shall salute on Monday.

CRAVEN.

B.

[Telegram.—Ferrol, March 4—11 a. m.]

To the Chargé d'Affaires of the United States:

Stonewall continues in the same state. Her commander expected back from Paris.

FERNANDEZ.

B No. 1.

[Telegram.—Madrid, March 4.]

Commodore Craven, aboard frigate Niagara, Corunna:

Sherman has beaten Beauregard; has occupied Columbia, Branchville, and Charleston. Fortifications all entire, with 200 magnificent cannon, have fallen into our hands. Gold 195.

H. J. PERRY.

B.

[Telegram.]

[Official service.—To Secretary of State of United States, Washington.]

SUNDAY MORNING, *March* 5.

To Consul of United States, Queenstown, Cork:

The Stonewall remains in the same condition. The Niagara and Sacramento are vigilant but insufficient.

PERRY.

Mr. Perry to Mr. Seward.

[Extract.]

No. 174.] LEGATION OF THE UNITED STATES,
Madrid, March 10, 1865.

SIR: I have the honor to enclose copies of my notes to her Catholic Majesty's minister of state, dated the 7th instant, one of which refers to the case of men reported to have left the English ship Clyde, at Ferrol, and gone aboard the Stonewall, reported to you in my No. 172, of 7th instant, and the other is based on information received from Mr. Dudley, our consul at Liverpool, whose letter of 3d instant announced that thirty men formerly belonging to the pirate Florida were under orders to proceed to Spain to join the Stonewall.

* * * * * * *

To-day I have had an interview with Mr. Benavides, in which he informed me that orders had already been sent out to impede these thirty men from joining the Stonewall, but he could not then tell me precisely where those orders had gone.

I said that in the uncertainty as to where these men would present themselves, whether by railway coming from France or at some other port, so as to avoid our vessels at Ferrol, I was afraid that a simple repetition of orders to Ferrol might not be sufficient. I was anxious that her Majesty's government should avoid all responsibility in regard to these men, who were not mere passengers or travellers, but enlisted seamen in the military service of the insurrection, coming from one armed vessel to join another now seeking to complete her crew in a Spanish port. I considered, therefore, that the Spanish government would have a perfect right, even under their ideas of neutrality, to stop these enlisted men at the frontier, or to make them take some other direction, and not allow them to travel in the direction of Ferrol.

Mr. Benavides said that was undoubtedly so, and, at my suggestion, said he would have orders sent to the French and Portuguese frontiers, as well as to the seaports on the Atlantic coast, so that these men should assuredly be stopped if they presented themselves in this jurisdiction.

Mr. Benavides also promised to have the facts connected with the shipment of certain men formerly belonging to an English vessel now in port at Ferrol aboard the Stonewall properly and thoroughly investigated.

While I am writing I receive the copy of protest made by the consular agent Antonio Y. Fernandez, addressed to the brigadier general military governor of Ferrol, in compliance with my telegraphic instruction of the 6th instant on this subject. It is dated on the 7th instant, and a translated copy goes enclosed. My telegram will be found as enclosure G, No. 10, of despatch No. 172, of 7th instant.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

A.

MADRID, *March* 7, 1865.

SIR: I have the honor to enclose copy of a telegram received from the consular agent of the United States at Ferrol, which informs me that, in spite of the vigilance of the authorities of that port, a number of men had found means to embark aboard the Stonewall from the English ship Clyde, now at anchor in that port.

It must be easy to verify the truth of this statement by investigating the fact whether the Clyde has now on board the same men she had when she entered Ferrol, and whether the Stonewall has increased her crew of 79 men since she arrived.

I understand your excellency to be agreed that the Stonewall cannot be permitted to increase the number of her crew while within the Spanish jurisdiction; and if she has disobeyed the orders of her Majesty's government in this respect, your excellency will know what are the measures proper to be taken in such a case.

I beg to solicit your excellency's prompt attention to this incident, and avail myself of the occasion to renew to your excellency the assurance of my most distinguished consideration.

HORATIO J. PERRY.

His Excellency the MINISTER OF STATE *of H. C. M.*

[Telegram.—Translation.]

FERROL, *March* 6, 1865.

To the Charge d'Affaires of the United States:

Captain of English merchantman Clyde, two months in port, told me the greater part of the crew had shipped on the Stonewall. What am I to do?

FERNANDEZ.

MADRID, *March* 6.

EDUARDO URICH,
Chief on Service.

B.

MADRID, *March* 7, 1865.

SIR: I have the honor to enclose copy of a despatch received from the consul of the United States at Liverpool, which informs me that about 30 men formerly belonging to the pirate ship Florida, and engaged in the military service of the rebel faction now in insurrection in the United States are, or soon will be, on their way to join the iron-clad vessel Stonewall, now at anchor in the port of Ferrol. For this purpose it was supposed they would be sent by steamer from Calais to some port in Spain, but it is also very possible that they may proceed by land from that place to Ferrol.

In laying these facts before your excellency, I have to beg that the proper orders be issued to her Majesty's authorities on the frontiers of France and Portugal, and at all the ports on the Atlantic coast, not to permit the entrance into Spain of these men in the military service of the so-called Confederate States for the purpose of joining the armed expedition preparing aboard the Stonewall to make war upon the United States, but to impede their journey in that direction and separate them effectually from that port. I beg also that renewed orders may be given to the authorities at Ferrol, in view of these facts, to prevent by every means in the power of her Majesty's government the joining of more men to this armed expedition aboard the Stonewall, whether they present themselves singly or in bands coming by sea or land to that port.

And I avail myself of this occasion to renew to your excellency the assurance of my most distinguished consideration,

HORATIO J. PERRY.

His Excellency the MINISTER OF STATE *of H. C. M.*

C.

UNITED STATES CONSULATE TOWER BUILDING, ST. WATER STREET,
Liverpool, March 3, 1865.

DEAR SIR: The crew from the pirate Florida, numbering some 30, men were landed at this port on the 16th ultimo from one of the Boston steamers. They were paid off on the 20th ultimo, and a certificate given them that they were to be on the steamer Rappahannock on the 10th March, until which time they were to have leave of absence. I now hear that they are to muster on the Rappahannock at the time mentioned, and are then to be taken on a steamer to the Stonewall now in one of the Spanish ports; most likely an English steamer will perform this duty. Inform Commodore Craven.

Very respectfully, yours,

THOMAS H. DUDLEY.

H. J. PERRY, Esq.

E

Mr. Fernandez to Military Governor of Ferrol.

[Translation.]

It having come to my knowledge that part of the crew of the English ship Cleodon,* moored in this basin of La Grava for repairs, have abandoned that ship and gone aboard the confederate corsair Stonewall and enlisted in her service, I cannot do less, in fulfilment of my duty, according to my orders by telegram of yesterday, than to address myself to you in reclamation of the rights of neutrality, and protesting against the admission of said corsair while she may be within this jurisdiction of one single man more than the seventy-nine which her commander declared on his entrance into this port. All which I hasten to put in your knowledge for the proper effects which may follow.

God guard you for many years. Ferrol, March 7, 1865.

ANTONIO Y. FERNANDEZ.

Señor BRIGADIER GOVERNADOR MILITAR *de esta Blaza, &c., &c.*

Mr. Perry to Mr. Seward.

No. 175.] LEGATION OF THE UNITED STATES,
Madrid, March 11, 1865.

SIR: In an interview which I enjoyed yesterday with her Catholic Majesty's minister of state, Mr. Benavides took occasion to tell me that Mr. Madion, the minister for Hayti, had approached him with a proposition for what he called the neutralization of that entire island. This proposition, as I understood it, was the expression of a wish that the great maritime powers should bind themselves together, and, with Hayti, to respect the neutrality and territorial independence of that island under all circumstances, or to make a kind of American Switzerland of it, as Mr. Benavides expressed it. The minister went on to say that he had remarked that in the United States we were not so much influenced by the question of the form of government adopted by our neighbors as we were by that of the interference of European powers in American concerns.

Brazil was an empire, and we were not its enemies on that account. Hayti had changed its form of government spontaneously and we had not interfered What we insisted on was, that, as we did not meddle in the political affairs of Europe, Europe should not meddle in the political affairs of America.

Mr. Benavides was determined to listen to no proposition, take no step at all referring to any part of America, except the Spanish colonies of Cuba and Porto Rico, without counting beforehand on a good understanding with the United States. Every other mode of proceeding, every other reliance, was futile. This was his policy in American affairs, which he considered to be a wise policy, and the only one which Spain ought to adopt.

Therefore he had immediately asked Mr. Madion whether the proposition he made here had also been made to the United States.

Mr. Madion had told him that the United States were agreed on this and desired it. Mr. Benavides had answered, very well; but let it be understood that Spain will not entertain any proposition of this nature, nor treat with any body in relation to it, till she is assured that the government of Washington is to be a party to the convention if made, and that that government was desirous it should be made.

I said that I had no instructions at all on this subject, and did not know whether anything had been proposed or said by the government of Hayti to my government or not. What I could do would be to report what his excellency had just said to Mr. Seward, and whatever the reply might be, I should take great pleasure in conveying it to Mr. Benavides; meantime I must reserve entirely the manifestation of any opinion on the merits of the question presented, or the probabilities of what the President would think about it.

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* Written "C.yde" in his former telegram.

Mr. Benavides requested me to write to you about it; and it being tacitly understood that this government would not proceed at all in this business until your instructions should be received by me, the subject dropped.

I have the honor to remain, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 176.] LEGATION OF THE UNITED STATES,
Madrid, March 11, 1865.

SIR: I have had the honor to receive your instruction No. 68, of the 20th February, in reply to my despatch of February 4, No. 162.

The information which had arrived at your department when that instruction was written, as to the character and movements of the rebel pirate ships in this jurisdiction, was still confused, though my telegram of 5th February, through the United States consul at Queenstown, and which announced an iron-clad ram at Ferrol, was intended to correct the misapprehension into which I had been led in my despatch of the 4th, when the new-comer was supposed to be the Shenandoah.

But your instructions are alike adapted to either case, and I have taken especial satisfaction in observing that the view of this subject, which I was forced by the pressure of circumstances to adopt on my own responsibility, is not dissimilar from that dictated by your superior judgment.

My first steps in this affair, as reported on the 4th February, are approved by you, while those which were taken subsequently seem to be covered by your instruction with singular precision and forecast, to which I am happy to have conformed.

Having occasion to see Mr. Benavides yesterday on the subject of impeding the thirty men released from the Florida from embarking on the Stonewall, which point was gained as reported in my No. 174, of yesterday, I also put your instruction just arrived into my pocket, and, in the course of conversation, read it to Mr. Benavides.

Much of the conversation in that interview was subsequent to this reading of your instruction, and all that relating to Hayti, as reported in my No. 175, of to-day, and in which Mr. Benavides took occasion to announce the principal features of his policy in American affairs, took place afterwards.

Seeing the opportunity favorable, I did not fail to urge again upon Mr. Benavides the considerations which, in my opinion, ought to separate the policy of Spain in America from that which might guide the conduct of France and England, and to this reasoning Mr. Benavides fully assented in principle, as you will observe by my despatch No. 175. Bringing the matter into a concrete form, I then referred to the late glorious news from our armies and fleet in the Carolinas, and said that the situation of things was to-day undoubtedly very different from that of June, 1861, when the royal decree of neutrality was adopted by Spain in imitation of France and England. Mr. Benavides agreed to this, and rejoiced that it was so. I then said that, as the state of political relations created by those decrees of neutrality was about to terminate at any rate, I was personally desirous that Spain should seize the occasion for an act of prevision which could not fail to be of the best effect in the United States. I wished him spontaneously, in view of the change of circumstances, to review the policy of 1861, in which Spain had followed England and France, and now to take the lead of those powers by abolishing the royal decree of June, 1861, and placing Spain frankly on the footing of a friend to

the government of Washington, and recognizing the insurgents as insurgents, and nothing more.

Mr. Benavides assented to all the reasoning by which I arrived at this conclusion, and said he would take the measure I indicated into serious consideration. He would study the point, and we would have another interview concerning it.

I have the honor to remain, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Perry.

No. 76.] DEPARTMENT OF STATE,
Washington, March 15, 1865.

SIR: It has been acertained that the number of American merchant ships which were built and owned in the United States, and which, in the year 1858, were transferred to a British registry, was 33, and their tonnage was 12,684; that the number of that class which were so transferred in 1859 was 49, and their tonnage 21,308; that the number in 1860 was 41, and their tonnage 13,683; that in 1861 the number rose to 126, and the tonnage to 71,673; that in 1862 the number reached 135, and their tonnage was 64,578; that in 1863 the number was no less than 348, and the tonnage 252,379; and that in 1864 the number fell to 106, and their tonnage to 92,052. It thus appears that from the beginning of our civil war until the first of January last the number of our merchant ships which assumed a British registry was 715 or thereabout. We do not know what number of our merchant ships have sought safety by acquiring other registry than that of Great Britain, and, therefore, we do not assume that any have done so. Mr. Adams is instructed to submit the foregoing statement to Earl Russell, and to say to him that they are regarded as illustrating the great disturbance and derangement of our national commerce; that it is our opinion that this derangement is a necessary and legitimate result, not of our domestic civil war, but of the intervention in it of piratical cruisers built in British ports, and issuing from them to devastate our trade on the high seas in violation of municipal laws, treaties, and the law of nations; and that the ability of these cruisers, when once afloat to commit such devastations, is vastly increased by the recognition accorded to them as belligerent vessels, which recognition has, with greater or less reservation, been extended to them in courts and ports of the British realm and its dependencies.

The government of Spain has concurred with that of Great Britain in attributing a belligerent character to the piratical vessels of which mention has been made. I need not repeat here that the President has always protested equally against the departure of such piratical vessels from Spanish ports, and the recognition of them before mentioned. Still insisting on that protest, you will inform her Catholic Majesty's minister for foreign affairs that, in the opinion of this government, all previous justification of a continuance of that recognition has now failed by a practical reduction of all the ports heretofore temporarily held by the insurgents. The President, therefore, now looks to her Catholic Majesty's government for an effectual removal of the evils complained of, so far as depends upon Spain, in order that the foreign commerce of the United States may hereafter be carried on in peace and safety.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Perry to Mr. Seward:

No. 177.] LEGATION OF THE UNITED STATES,
Madrid, March 15, 1865.

SIR: I have the honor to enclose copy of Mr. Bigelow's letter to me of 12th instant, received last evening, and mine to Commodore Craven, enclosing copy of Mr. Bigelow's, and sent off by mail to Corunna last night. These letters explain themselves.

Both the Niagara and Sacramento left their anchorage at Corunna the day before yesterday in the afternoon, and lay about eight or ten miles off the harbor at nightfall; yesterday morning they were not visible.

This movement was undoubtedly in consequence of my letter of the 7th instant, which reached Commodore Craven on the 10th. On the night of the 11th or 12th instant he telegraphed me his thanks for that information.

On the night of the 11th, I also received from our consular agent at Ferrol the repetition of a telegraphic despatch he had just received from Mr. Bigelow, conveying the same information.

These telegrams are copied, and go enclosed, and the situation at Corunna and Ferrol is thus before you.

I have the honor to remain, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

A

Mr. Bigelow to Mr. Perry.

LEGATION OF THE UNITED STATES,
Paris, March 12, 1865.

DEAR SIR: I am reliably informed that it is the intention of the confederate officer in command on this station, Commodore Barron, to change the upper works of the Stonewall, so that she may mount ten guns—four on a side, and two pivots, one on each end, as heavy as can be bought. It is also proposed to cover her sides, to protect her machinery, with chains after the Winslow pattern, and then to cover them again with wood to complete the disguise.

She is expected to muster 140 men, and to be ready for sea in fifteen days from the 10th instant.

Yours, very respectfully,

JOHN BIGELOW, *Chargé d'Affaires.*

Hon. H. J. PERRY, *Chargé d'Affaires.*

B

Mr. Perry to Commodore Craven.

LEGATION OF THE UNITED STATES,
Madrid, March 14, 1865.

DEAR SIR: I have just received from Mr. Bigelow the information that considerable changes have been decided on in the construction and armament of the Stonewall, and that he has sent you a copy of his letter to me.

I have it not merely by word, but in writing also, that the Spanish government will not permit any more work to be done on that ship.

Either the decisions of Commodore Barron in this respect are thus so much waste paper, or the Stonewall must leave the Spanish jurisdiction and go into some other for the purpose of getting this work done. You will be able to judge whether it was perhaps supposed by the confederate officers, at the time the work mentioned by Mr. Bigelow was decided on, that this work could be executed in Spain, or whether they mean to move the ship as she is.

I incline to the former supposition, and imagine they will still waste some time in efforts to bring the Spanish authorities to consent to the work projected.

But it is clear that, once this is definitively refused, the day will have come for them to decide whether they will take the ship out as she is, or resign themselves to let her rot in port at Ferrol.

My despatches from Mr. Seward, of February 20, do not mention the sending out of any re-enforcements for you, though it is evident from his despatch that there was such a confusion of information from Paris, Nantes, Madrid and Ferrol, that there was no clear intelligence by that steamer of what had really happened.

I shall have despatches again the day after to-morrow, and no doubt something more explicit will be heard from Washington.

No important news by telegraph from this steamer arrived yesterday.

Orders have been sent to all the Atlantic ports and to the frontiers of France and Portugal to stop the thirty Florida's men, and not allow them to traverse Spain in a direction towards Ferrol. New orders to the authorities of that port not to permit their embarcation on the Stonewall if they should by any chance reach that port.

I have the affair of the Cleadon's men also in good train.

Did you ever see a negro man *James* who started from Madrid to go to you on the 27th ultimo?

Very respectfully, your obedient servant,

HORATIO J. PERRY.

Commodore CRAVEN, *Commanding Squadron at Corunna.*

NOTE.—A copy of Mr. Bigelow's letter of 12th instant also accompanied this letter.

H. J. P.

Mr. Fernandez to Mr. Perry.

[Telegram.]

FERROL, *March* 11, 1865.

Sr. ENCARGADO *de negocios de los Estados Unidos:*

In this moment I received from Paris the following despatch to communicate you. I am advised by the United States consul at Liverpool that the corsair Florida were paid off on or about 20th February last, at Liverpool, when they received a leave of absence until the 10th instant, when they were to re-embark at Calais on board the Rappahannock.

A subsequent letter from the same informs me that these men are to be sent to the Stonewall, Ferrol, by sea, on their arrival at Calais. By post I will send to you the original despatch.

FERNANDEZ.

Commodore Craven to Mr. Perry.

[Telegram.]

CORUNNA, *March* 11, 1865.

Hon. H. J. PERRY, *American Chargé d'Affaires:*

Thanks for your despatch received yesterday.

CRAVEN.

Mr. Perry to Mr. Seward.

No. 179.] LEGATION OF THE UNITED STATES,
Madrid, March 20, 1865.

SIR: The captain of the Stonewall returned to Ferrol, as expected. The Niagara and Sacramento returned to their old anchorage at the Corunna on the 15th instant. Last evening a telegram from our cousular agent at Ferrol informed me that the Stonewall was now ready to leave Ferrol at the first moment the weather should permit, and that he is not afraid of our ships. A telegram to the Spanish government also informs them that the rebel had taken leave of the authorities at Ferrol preparatory to sailing.

This determination corresponds exactly to what was foreseen in my letter to Commodore Craven of 14th instant, transmitted to you with my No. 177 of the 15th instant. Meantime we have no news of any re-enforcement for Com-

modore Craven, and I cannot help fearing that the class and power of this formidable iron-clad have been imperfectly comprehended at Washington, or you would have been able to inform me before this that a force sufficient to control this vessel had left our waters. It is now six weeks since I had the honor to telegraph you her description, without, however, being able to give you details as to her casemated artillery, which may be compared in power to that of our best monitors. I am informed that a single shell from the 300-pounder Armstrong, impelled by 50 pounds of powder, and with a bursting charge of 17 pounds, may be expected to render such a ship as the Niagara useless.

It is probable that the guns of the latter will be unable to penetrate the 5, 7 and 8 inch iron plates under which the three Armstrong guns are casemated aboard the Stonewall. Besides her battery, the Stonewall is reported to steam twelve knots, which would enable her to use her spur 40 feet long with terrible effect in smooth water.

We shall see if the superior sea-going qualities of our ships can be made to compensate in any way for these tremendous advantages on the side of the Stonewall. Fortunately the stormy weather promises to still spare us for some days the cruel spectacle of our two wooden ships in action against this monster, in whose construction the best inventive talent of France has been exhausted, and I still hope re-enforcements may arrive.

I have the honor to enclose copy of my last letter to Commodore Craven, 18th instant, enclosing copy of letter from the consulate at Liverpool, in which our accounts of the ram are confirmed by a correspondent on board that vessel.

The dispositions of the Spanish government, and the measures taken according to my request to prevent any more men from joining the ram, are satisfactory.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Commodore Craven.

LEGATION OF THE UNITED STATES,
Madrid, March 18, 1865.

DEAR SIR: I hasten to forward copy of a letter just received from our consulate at Liverpool. The information it contains may not be new to you, except the latter part, which would seem to indicate a good lookout for vessels under the Dutch flag. Of course the manner of fighting of the ram is indicated by her build and armament.

Mr. Seward, under date of 27th, informs me that Admiral Goldsborough is preparing for a cruise with a considerable fleet in European waters, but that many vessels of our navy are now engaged repairing damages.

Nothing definite. No later news from Sherman.

Very respectfully, &c., &c.,

HORATIO J. PERRY.

Commodore CRAVEN,
Commanding Squadron near Corunna.

Mr. Wilding to Mr. Perry.

[Extract.]

UNITED STATES CONSULATE,
Liverpool, March 14, 1865.

* * * * * * * *

A person here who was formerly in one of the rebel privateers holds a commission, and is waiting orders; has received a letter from a man on board the Stonewall, in which the writer gives some particulars of the vessel which it might be well to communicate to Commodore Craven.

He says she is brig-rigged; top-gallant forecastle has a ram (spur) projecting 40 feet; 2 turrets; forward turret has one rifled gun, shot 11-inch shell, 50 pounds in cartridge, 17

pounds in shell, 3 feet 9 inches long. After turret, 2 guns, rifled, shot 20 pounds in cartridge 10 pounds in shell, steel shell and shot, and sequent shot; has 4 engines, 2 screws; speed, 12 knots. Plates of turrets, 5, 7, and 8 inch.

He says the Niagara and Sacramento are outside, but give us little concern, as we shall run right into one of them and send her to the bottom.

The man to whom this is addressed has told my informant that he expects to go to the Stonewall as gunner, and that men are still being engaged for her, and that a Dutch vessel is to take them to her.

Other information from the same source has turned out correct, which gives me reason to believe this to be so.

Your obedient servant,

H. G. WILDING, *V. C.*

Hon. HORATIO J. PERRY, *&c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 79.] DEPARTMENT OF STATE,
Washington, March 23, 1865.

SIR: Your despatch of the 20th of February, No. 168, has been received, and also your despatch of the 25th of the same month, No. 169. In my No. 74 I gave you the determination by which this government would abide in the case of the pirate Stonewall, at least until a change should come over the situation of the vessel.

It is now, therefore, only necessary to say that all your proceedings, as subsequently reported, are fully approved and heartily commended. Our naval force in European waters will soon be increased; but I cannot learn that this is likely to take place early enough for a contingency in the case of the Stonewall.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 82] DEPARTMENT OF STATE,
Washington, March 28, 1865.

SIR: Your despatches No. 173, dated March 8, and No. 174, dated March 10, have been received, and have been submitted for perusal to the Secretary of the Navy.

The ceaseless vigilance and activity which you have shown in your efforts to protect the interests of the United States, in connexion with the affair of the pirate Stonewall at Ferrol, are especially commended.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Perry to Mr. Seward.

No. 182.] LEGATION OF THE UNITED STATES,
Madrid, April 1, 1865.

SIR: I have the honor to enclose Commodore Craven's letter to me of the 25th ultimo, written as he was leaving the harbor of Corunna, and giving his own account of the last scenes of the Stonewall affair in this jurisdiction.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Commodore Craven to Mr. Perry.

UNITED STATES SHIP NIAGARA,
Corunna, March 25, 1865.

DEAR SIR: After lying in the harbor of Ferrol some six or seven weeks, and there thoroughly completed her equipments and supplies, enlisted and drilled her men, the Stonewall on Tuesday and Wednesday of this week made her appearance outside and directly to the north of this harbor, but the stateof the sea was not favorable for her purposes, and while the Niagara and Sacramento were on their way out she returned to her old anchorage—the first time on the plea of having again sprung a leak; the second on the pretext that her ballast had shifted and that her gun had gotten loose.

On yesterday morning, the weather being remarkably calm and the sea perfectly smooth, she again made her appearance, and with feelings that no one can appreciate, I was obliged to undergo the deep humiliation of knowing that she was there steaming back and forth flaunting her flags and waiting for me to go out to the attack.

(*I dared not do it.*) The condition of the sea was such that it would have been perfect madness for me to go out. We could not possibly have inflicted the slightest injury upon her, and should have exposed ourselves to almost instant destruction—a one sided combat which I do not consider myself called upon to engage in.

This afternoon I have learnt that the Stonewall was last seen at an early hour this morning steaming to the westward.

I am now on my way out, and shall proceed towards Lisbon.

I have the honor to be, sir, your obedient servant,

THOMAS T. CRAVEN.

Hon. H. J. PERRY, *Chargé d'Affaires, &c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 83.] DEPARTMENT OF STATE,
Washington, April 4, 1865.

SIR: I thank you for your very interesting confidential note of the 12th of March. It has been my earnest desire that Spain might anticipate the other maritime powers in retiring from the erring policy of 1861. I feel sure that she would have done so if she could have ever so little anticipated the events of the war during the present campaign. It is desirable that you press the question upon the Spanish government now while the advantage may even yet be secured. This proceeding in connexion with the restoration of peace in Peru, and the retirement of Spain from Dominica, would probably open harmonious and friendly relations between Spain and the United States for a period as long as statesmen are accustomed to foresee events.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO PERRY, Esq., *&c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 84.] DEPARTMENT OF STATE,
Washington, April 4, 1864.

SIR: Your despatch of March 11, No. 176, has been received. I have been deeply interested in the conversation between yourself and Mr. Benavides and the Duke of Valencia which you have reported to me. The views you expressed on these occasions are in perfect harmony with those of this government, and I am glad to learn that they were received with marked attention by the ministers of her Majesty's government.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Seward to Mr. Perry.

No. 86.] DEPARTMENT OF STATE,
Washington, April 4, 1865.

SIR: Your despatch of the 11th of March, No. 175, has been received.

This government would hail with pleasure any determination that might be adopted by European maritime powers to assure the independence of the people existing upon the island of San Domingo. Surely the adoption of such a humane policy would only be a small instalment of justice to the Africans, who, having been brought from their native continent to that island as slaves, have now emancipated themselves and established civil government. Nor is it to be easily seen how European states could avoid complications dangerous to the peace of nations, if they, or any of them, should attempt intervention on that island or elsewhere in this hemisphere; certainly the United States will never interfere to disturb the peace of the African race in Hayti or elsewhere. Emancipation has become as necessary to our security as it has always been congenial with the principles of our government.

Nevertheless, while making these views known to the Spanish government, as you freely may, you must by no means forget that it is a fixed principle of this government not to enter into entangling alliances of any kind with foreign nations. While always respecting the Spanish authority in Spain, we once declined to enter into treaty stipulations for non-intervention with France and Great Britain, not because we desired to reserve a right to intervene, but because we cannot enter into political contests for any general purpose with foreign powers.

For the same reason we have often declined to enter into the congress of the American republics.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. F. W. Seward to Mr. Perry.

DEPARTMENT OF STATE,
No. 91.] *Washington, April* 12, 1865.

SIR: I transmit herewith a printed copy of three proclamations of the 11th instant, made by the President of the United States—one relating to the closing of certain ports of entry, another supplementary thereunto and relating to the port of Key West, in Florida, and a third relating to reciprocal hospitalities to the vessels of foreign navies in the ports of the United States and to vessels of the navy of the United States in foreign ports. You will perceive by these proclamations that it is believed that the time has arrived when the United States, whatever claim or pretence may have existed heretofore, are now entitled to claim the same friendly rights and hospitalities for their naval vessels which they are willing to concede to those of all maritime nations.

I am, sir, your obedient servant,

F. W. SEWARD,
Acting Secretary.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

For enclosures see despatch to Mr. Adams No. 1350, p. 309, vol. I.

Mr. Perry to Mr. Seward.

No. 188.] LEGATION OF THE UNITED STATES,
Madrid, April 21, 1865.

SIR: Your despatch No. 76, of March 15, has reached me at a time when I find it a little difficult to get the attention of this government.

My despatch of the 11th instant informed you of what scenes Madrid is now the theatre.

The sudden death of a cabinet minister, the usual seclusion of the holy week, capped by the serious illness of Mr. Benavides, minister of state, have prevented me from seeing that minister upon the subject of your instruction. In this state of things I have sought the Duke of Valencia at his private residence, and stating that I found myself practically without a minister of state with whom to treat, opened the matter of withdrawal by Spain from her policy declared in 1861, and from the concession of belligerent rights to rebel cruisers, urging the same reasons before reported as used by me in conferences with Mr. Benavides.

I also took the liberty of reading to the Duke a part of your instruction. He seemed to be penetrated with a conviction of the justice and reasonableness of what was asked, and begged me to put the request into the form of a note addressed to the minister of state, and let him know when I sent it.

I immediately wrote the note, dated 18th instant, addressed to the minister of state, and sent it under cover to the Duke of Valencia.

When I called again to-day he was very much occupied and, I did not send in my name, but shall hope to see him to-morrow.

Meantime Mr. Benavides, who was very much affected by the death of his old friend Alcala Galiano, late minister of public instruction, has a severe attack of acute rheumatism, (as it is described,) and his friends have carried him away out of Madrid to day to some thermal sulphuric baths in Aragon.

I have the honor to be, with the highest respect, sir, your obedient servant,
HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 189.] LEGATION OF THE UNITED STATES,
Madrid, April 21, 1865.

SIR: I beg to enclose copies of Mr. Beravides notes to me of February 12th and April 5th, on the subject of the recent visit of the Stonewall iron-clad pirate at Ferrol, which papers will complete the series of documents on this subject.

A good many consular letters, advices, &c., not considered material to your full understanding of this subject, and to its history in the archives of the Department of State, remain on file in this legation.

With date April 14th, at Teneriffe, our consul, Mr. Dabney, informed me that the Stonewall had called at that port and remained 24 hours, having made the run from Lisbon in three days; that she received 130 tons of coal, and sailed again on the 1st instant, and Mr. Dabney infers from what was understood to have been said by some of her officers that she started for Bermuda. She only carries coals for five days steaming, so that she will be obliged to depend upon her sails to make the voyage.

As soon as this information reached me last evening I sent you a telegram in the following words:

"Iron-clad Stonewall sailed April 1st from Teneriffe, supposed for Bermuda."

But I may be allowed to hope that the same news may have been anticipated

to you through some other channel, as Mr. Dabney had an opportunity to communicate with Mr. Adams at London about a week earlier than he could with Madrid.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Translation.]

EPARTMENT OF STATE,
Palace, April 1, 1865.

SIR: I have the honor to inform you that, according to the report given by the captain general of the department of Ferrol to the minister of marine, the Stonewall left that port on the 24th of March last, at half past ten o'clock in the morning, accompanied by her Majesty's frigate Conception.

At noon, the frigate being within the following limits—Cape Prior north 53 east, Corunna light south 32 east, and the Stonewall about one mile ahead, about west-northwest of the meridian—the Conception stopped her engine, lowered and raised her ensign with a cannon shot to signify to the confederate vessel the extent of the jurisdictional zone, and then steamed back slowly to the mouth of the port of Ferrol, where she remained to watch the movements of the Stonewall, which vessel came back about two p. m., hoisting Spanish colors at the foretop, as a signal for communication.

The commander of the Conception says: "They sent the mate to me to ask permission to return to the entrance of the harbor and communicate with shore. I refused permission, and said as they had repaired damages and gone out without new accidents, they could continue on their course. The boat went back, but soon returned, insisting on the demand. I again refused, and added, it was an abuse of hospitality. I afterwards steamed a little north of meridian, and finding the Stonewall nine or ten miles north, at four o'clock I returned to this port, (Ferrol,) where I anchored at half past four."

In communicating to you these details, as another proof of the desire of the government of the Queen, my lady, to comply strictly with the duties of neutrality imposed by the royal decree, and to preserve and cultivate the good relations existing between Spain and the United States, I repeat the assurance of my distinguished consideration.

A. BENAVIDES.

The UNITED STATES CHARGÉ D'AFFAIRES.

DEPARTMENT OF STATE.
Palace, February 12, 1865.

SIR: I have received your two notes of the 5th and 9th instant, in which, after informing me of the arrival of the iron-clad steamer Stonewall, with three guns, 300 horse-power, and 79 men, at the port of Ferrol, you request the government of her Majesty the Queen not to permit the said vessel to repair, nor to take coal and provisions, only enough to last her while in this port.

In the present case the government of her Majesty must adhere to the decree of the 17th of June, 1861, the object of which was to prevent Spaniards from interfering in the struggle now going on in the United States, as all private interest is stimulated by the hope of gain. It was to be feared they would take part on either side.

In consequence of this the government of her Majesty has ordered instructions to be given to the captain general of the department of Ferrol not to permit other than necessary repairs to the steamer Stonewall, to be determined by the commander of engineers, so as to make her seaworthy, but not to improve or increase her sea-fitness or military efficacy.

In reference to your remarks about the arrival of the Stonewall at Ferrol, I must say she came with papers in due form, without the least indication that she wished to take on articles contraband of war; whereas examinations of her damages show she put in under stress, for certain safety.

This being the case, the government of her Majesty could not disregard the voice of humanity in perfect harmony with the laws of neutrality, and does not think they are violated by allowing a vessel only the repairs strictly necessary to navigate without endangering the lives of the crew.

I hope you will be satisfied with these lawful reasons for the resolution in regard to the Stonewall, and will accept the assurances of my most distinguished consideration.

A. BENAVIDES.

The UNITED STATES CHARGÉ D'AFFAIRES.

Mr. Perry to Mr. Seward.

[Extract.]

No. 190.] LEGATION OF THE UNITED STATES,
Madrid, April 21, 1865.

SIR: The news of the battle in which Lee's army was defeated before Petersburg, and the subsequent entrance of our forces into Richmond, was received here, at first, with incredulity, on the 13th instant.

I had, however, a telegram from our consul at Queenstown, and immediately ordered the flag of the Union to be displayed from the balcony of the legation, in the principal street of this capital, and posted a telegram in the messenger's room, which was then reproduced by all the evening papers. I also addressed a circular by telegraph to the consuls and consular agents in the following cities: Barcelona, Valencia, Alicant, Carthagena, Malaga, Algeciras, (Gibraltar,) Cadiz, Seville, Vigo, Corunna, Ferrol, Santander, and Bilbao, repeating in substance the telegram from Queenstown, as follows:

"Richmond taken—Lee's army annihilated—the rebellion ended—praise God! Display the flag of the Union for three days over that consulate. PERRY."

The responses I have received from every quarter, some by telegram, some by letter, are heart-stirring. I sent a copy of the Queenstown telegram, confidentially, to the Duke of Valencia, in a private note, also to Mr. Benavides. It was the hour when Alcalá Galiano was being publicly buried with the highest funeral honors known to such occasions in Spain. As soon as the duke returned from that ceremony he replied in the note of which I enclose a translation. The president of the council of state, the Marquis of Vilenna, formerly prime minister and president of the senate, has also called on me, expressing his sincere congratulations. General Prim, Marquis of Castillejos, was among the first to call and make known his joy. General O'Donnell, Duke of Tetuan, who has just lost a brother, and, according to social custom here, makes no visits out of his own house, sought me, nevertheless, in the senate and offered his felicitations. The president of the senate, the Marquis of Duero, was among the first to compliment me upon the occasion. Mr. Banuelos, sub-secretary of state, has manifested sincere satisfaction. Mr. Benavides has been impeded by illness. But they who are really and truly glad, and whose joy is visible in every feature, are the people. Sad as is their appearance in the streets of Madrid, since the events of the 10th instant, their faces light up as they gaze on the flag of the republic, and learn its meaning to-day, with an expression which no words of mine can transmit to that department, and which, nevertheless, it would be well if the department could understand.

An address to the President which I have just received from Elche (the city of the palms) is a reflex of the same light I saw on the faces of this brave people as they passed and repassed under the great flag on the 16th instant, never stopping to gather into a crowd nor make any demonstration. I beg this paper may be placed in the hands of the President, and you will find one paragraph translated, there not being time to do the whole.

* * * * * * *

The "Comercio" of Barcelona appears in gala dress and devotes an entire page to the shout of victory! An address to the President numerously signed is being prepared, and will be sent directly from that city.

The appearance of our national colors just at the present juncture of affairs in Madrid has been rendered the more notable because they have not been seen before since 1861, when, by your order, I took charge of this legation.

The three days they have floated now amply repay me for all the sacrifices which here, as well as at home, the faithful have patiently endured.

I beg to congratulate you and kiss the native soil on which this great battle of humanity has been fought and won.

God's holy name be praised!

With sentiments of the highest respect, sir, your obedient servant.

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Translation.]

APRIL 15, 1865.

MY MUCH-ESTEEMED FRIEND: I have just received your welcome note of to-day, and thank you, not only for giving me the news, but because you consider that it is satisfactory to me.

In effect, I have had a great pleasure in receiving it and in the result of the events which it communicates; and as I cannot do otherwise than rejoice at every triumph of the principles of government and of justice in all countries, I congratulate you upon that which has been obtained in yours, repeating myself your most affectionate friend and faithful servant, Q. B. S. M.,

THE DUKE OF VALENCIA.

Mr. HORATIO J. PERRY.

Translation of part of an address to President Lincoln by the citizens of Eclhe, in Spain.

Now, when unfortunate Spain is plunged in a frightful reaction; now when the enemies of liberty among ourselves occupy the places of power, and regain one by one those difficult conquests which were made in the turmoil of a devastating civil war which has thus become unproductive for the cause of the people; now, when the great orators of liberty find the path to the rostrum blocked; now that science groans under blows dealt in the face of most worthy men; now that the press is muzzled violently; now that again are repeated among us scenes only witnessed when a foreign soldiery dishonored our soil and spat in the face of the honest and brave Spanish people: now, it is highly consolatory for us who have faith and hope in the future, and who do not doubt the justice of God, to see that liberty does not succumb, that progress goes on and makes its daily journey, and that to our lot it has fallen to see the destruction of barbarian slavery, and that it is a people democratically governed which has carried to its close the greatest enterprise in history. The people and the army which have made such sacrifices in so just a cause have merited well of humanity. And the President of the republic, called by Providence to guide so great a people in moments decisive and supreme, will live always in the memory of coming generations, who shall bless his name so long as justice lives upon the earth.

Mr. Hunter to Mr. Perry.

No. 93.] DEPARTMENT OF STATE,
Washington, April 22, 1865.

SIR: Your despatches, No. 180 of the 26th ultimo and Nos. 181 and 182, both dated the 1st instant, have been received, and have been submitted for perusal to the Secretary of the Navy. Your energetic proceedings relative to the rebel ram Stonewall, during her stay at Ferrol, are approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Perry to Mr. Seward.

No. 193.] LEGATION OF THE UNITED STATES,
Madrid, April 29, 1865.

SIR: Thank God we are permitted still to address you. A telegram from Queenstown informs me at this moment "that Mr. Seward and his son are likely to recover."

It is a relief from the suspense which has kept my hand bound since the

evening of the 26th, when Mr. Adams's telegram informed me of the tragedy in Washington.

Pray accept for yourself, dear sir, the expression of my horror and my grief at the foul crime of which you have been the victim; and say also to the Assistant Secretary of State that I associate myself with him in sympathy for all his sufferings.

The death of President Lincoln by the hand of an assassin at the moment when the great work with which his name is indissolubly connected for all time touched the term of success, when the greatest insurrection known in history, striking for human slavery and at the life of the republic, succumbs at last to the valor of our democratic armies, and the persistent virtue of our people, led by the President of their own choice twice elected, and set up before friends and foes as their executive; the death of this Chief Magistrate, elevated by force of great events to a place in history not less than that of every other human name which the annals of the race record, and filling that broad place worthily, occurring at such a moment and in such a way, has sent a shock of horror through Europe.

The Spanish people have been thunderstruck. I have heard ordinary men, ignorant that an American was listening, offer to lose a right hand if only this news might not be true. Men were rushing into this office until one o'clock at night, unwilling to believe, unable to control the emotion this news had stirred, and an unfeigned grief got the better of all form and etiquette in the manifestation of the sympathy of this generous-hearted people for the loss of President Lincoln.

Your name, sir, was also on every lip, but men hoped against hope, and God has permitted this yearning of the universal heart of men to plead for you.

I felt it would be be so; I cannot tell you how or why, but in spite of the desolating sweep of the first telegrams, something stirred within me with the consciousness that Mr. Seward still lived and would live. Heavy as the pall of grief closed over the loss of Lincoln, we have refused to mourn for you, and now we know that your work was not yet finished.

How should it be, if it is now precisely, when the military triumph is gained, and the political and diplomatic questions, generated by the war, are up for settlement, that the sage counsel, the long-experienced and the steady hand of William H. Seward is needed in America and relied upon in Europe?

We mourn for our President. But after all let an American speak, for whom the 3,000 miles of distance which separate him from the turmoil and distraction of that scene serve, perhaps something as the lapse of time will serve to his countrymen at home, to enable him to see events in their general form and purport as they will stand in history.

The triumph of the American democracy in saving the second great republic, attacked by a slaveholding oligarchy, stands parallel in the world's record with the triumph of the Roman democracy when they destroyed the first great republic, attacking that slaveholding oligarchy.

Abraham Lincoln and Julius Cæsar are names which henceforth personify the throes of men for liberty in two supreme epochs of history, which can be compared only the one with the other. An emperor was the result of the efforts of the Roman democracy, as it has since been of other people.

A citizen President, equally triumphant over the slaveholding patrician element, but himself obedient to law, is the result of our peoples' virtue and his own. The singular parity of incident which closed the career of these two men, when the triumph was assured, will grave eternally on the memory of the generations the contrast of the result established, the immense advance of humanity since Cæsar fell.

God's instrument in a work which makes his name immortal, Lincoln died at a glorious moment; success was assured, and if he had been ambitious he

could not have chosen another death. His work was done! We call out for his tenacity in doing right, his steady honesty in executing justice tempered with mercy; but these are qualities of our northern people, and he was great only as he typified these. The people remain, and I doubt not will find their representative.

Meantime, what do we know of the divine purposes to be served by this crowning crime which sets the everlasting seal on the forehead of this rebellion?

What is the position to-day of those men who rose against the republic for the perpetuation of human slavery?

Speaking from Europe, I may say already that assassin blow has done more to finish up the sympathies of men for the defenders of slavery and oligarchy than all that has happened before since the war began. Though the military power of the rebels is broken, men still paid their tribute of respect to the valor of their soldiery, the skill of their generals, and the political decision of their leaders; and these sentiments have great sway over the minds of men, and impede them from discerning the deformity of the principles for which those armies and those leaders fought.

But the night of April 14, 1865, has dispelled forever the mistaken sympathies which the audacity of April 13, 1861, generated, and has left the enemies of human progress naked before the world, with only such moral support henceforth as those decidedly of their own kind can give them.

This in Europe. I ought to forbear from speculating upon its effects in America, but I will say that I do not suppose the men who have made their names illustrious in a bad cause had any personal connexion with a deed so foul; their errors have not clouded the moral faculties of the leaders of the rebellion to such an extent as this, nor are the southern people generally to be charged with immediate complicity in this infamy.

It is precisely because I do not believe this that I wait to see a reaction in the south itself against the cause which can prepare such instruments, and give rise, even incidentally, to such a deed. God's hand shall work in the hearts of the south itself through the martyrdom of Lincoln and the steadfast magnanimity of that great people whose principles he represented, and which I do not look to see belied even under this last provocation. Thus I do not doubt the moral death of the rebellion in the south itself will date from the day Lincoln was murdered. And I shall be greatly mistaken if the political work of pacification and reconstruction of the great democratic republic, homogeneous and united as never before, shall not be found to be notably facilitated by the very events which might seem at first to disturb its course. Such is my faith; pardon its expression.

I have not waited instructions to order mourning in this legation, and recommend the same in all our consulates in this jurisdiction for thirty days.

You will find copy of my telegraphic circular enclosed; also copy of the note in which I announced this event, and the accession of President Johnson officially to the Spanish government. The popular newspapers appeared in mourning yesterday The members of the foreign diplomatic corps and many eminent men have called to express their sympathy.

No manifestation has yet been received from the Queen's government, nor the chambers now in session.

The interior condition of affairs in Spain is at a point so critical that hardly anything else can be expected to be thought of by this government.

The minister of state is ill, and retires from Madrid. His substitute *ad interim*, the minister of grace and justice, is also ill and confined to his chamber.

Once more, sir, I grasp your hand in respectful sympathy.

Your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secreyraoft State, Washington.

[Translation.—Circular telegram.]

To the Consuls of the United States in Barcelona, Valencia, Alicant, Mahon, Denia, Carthagena, Malaga, Gibraltar, Cadiz, Vigo, Corunna, Ferrol, Santander, Bilbao and Seville.

MADRID, *April* 27, 1865.

President Lincoln has been assassinated. Vice-President Johnson has taken possession of the presidency.

This legation wears mourning for thirty days.

PERRY, *Chargé d'Affaires.*

[Translation.]

LEGATION OF THE UNITED STATES,
Madrid, April 27, 1865.

SIR: The minister of the United States at London sends me the following telegram under date of yesterday:

"I am directed to inform you that the President was assassinated while in his box at the theatre in Washington.

"Mr. Seward was also attacked in his chamber on the same evening, and his recovery is doubtful.

"The Vice-President, Mr. Johnson, was at Washington and assumed the functions of President"

In making known to your excellency this sad event, I have the honor to inform you that, in my opinion, it can in no way alter the march of public affairs.

This legation will put on mourning for thirty days.

I avail myself of the occasion to renew to your excellency the assurance of my most distinguished consideration.

HORATIO J. PERRY.

His Excellency the MINISTER OF STATE *of H. C. M.*

Mr. Perry to Mr. Seward.

No. 194.] LEGATION OF THE UNITED STATES,
Madrid, May 1, 1865.

SIR: After my despatch No. 190 was written, on the 29th ultimo, I received an official visit from the Duke of Valencia, president of the cabinet of ministers, attended by his aids, who came to say to me, in the name, and by special order of the Queen, how great was the horror and the grief with which her Majesty had learned the news of the assassination of President Lincoln, and her Majesty begged me to be pleased to make known to President Johnson her profound and sincere sympathy with him and with the American nation for the loss we had sustained in the person of our late most worthy and illustrious President.

I thanked the duke, and begged him to convey provisionally to her Majesty the expression of my own gratitude for her Majesty's warm manifestation of sympathy in the grief of my government and nation, which I would not fail to sransmit immediately to Washington.

Yesterday I received the official note from the minister of state *ad interim*, Sr. Arrazola, dated on the 27th instant, and which the Duke of Valencia had also announced in his visit on the 29th instant was being prepared to be sent to me. Sr. Arrazola is ill and confined to his chamber, and Sr. Banuelos, assistant secretary of state, informed me this was the only paper he had signed for a number of days past.

The duke also informed me that Mr. Tassara, Spanish minister at Washington, would be instructed to make a similar manifestation to you personally in Washington.

To-day the congress of deputies, now in session, has also taken action upon the same subject. The deputy Lasala, of the opposition, inquired of the government if anything had been done to manifest the sentiment of this nation at the horrible events in Washington.

The Duke of Valencia, in the name of the government, recited to the chamber the steps taken by the Queen and by the ministers.

The deputy Clavos, ministerial, also made a remarkable speech, which was saluted by the whole house with marks of applause.

Then the president of the congress, from his chair, said:

SEÑORES DEPUTIES: I consider it my privilege as well as duty to interpret on this occasion the sentiments of you all, of the whole congress, and of the nation, declaring that this house associates itself to the profound affliction which has fallen upon the United States, in the horrible crime committed upon the person of the President of that republic, and which has occupied the attention of the house at this moment.

The question being then put, whether the house adheres to the declaration just made by the president, it was voted without a dissenting voice, and on motion of Deputies Jove and Hevia, it was ordered to be entered on the record with the adhesion of the house by an unanimous vote.

This debate is worthy to be transmitted to you entire, and I shall send it, translated from the official journal of the chamber, as soon as it can be prepared.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Translation.]

DEPARTMENT OF STATE,
Palace, April 27, 1865.

SIR: I have the honor to inform you that I have received your note of this date, in which, unhappily, I find confirmed the sad news of the horrible crimes committed on the persons of his Excellency the President of the United States, Abraham Lincoln, and of the distinguished Secretary of State, the honorable Mr. Seward.

Knowing, as you do, the sentiments of sincere friendship and good intelligence which animate the government of the Queen, my lady, with respect to the United States, you will easily comprehend the horror with which we have learned the treacherous murder of the chief magistrate of that great nation which you so worthily represent, and how much we deplore also the villanous attack upon Mr. Seward, for whose recovery we make the most fervent vows.

I beg you to be pleased to make known to his excellency the President of the republic the sentiment of profound indignation which the sad events you announced have produced in the mind of her Majesty the Queen and in that of her government, and I thus renew to you the assurance of my distinguished consideration.

L. ARRASOLA.

The CHARGÉ D'AFFAIRES *of the United States.*

Mr. Perry to Mr. Seward.

No. 195.] LEGATION OF THE UNITED STATES,
Madrid, May 7, 1865.

SIR: On the evening of the 5th instant I had the honor to receive an official communication from the president of the cabinet of ministers, the Duke of Valencia, referring to the death of President Lincoln, and transmitting to me the declarations of the Spanish senate and of the congress of deputies on this mournful subject.

I replied to that communication yesterday, and you will find both papers, translated from the original Spanish, enclosed.

I transmit also sheets from the official journal of the senate and deputies containing these debates in full and accompanied also by translations.

Copies in Spanish of the original notes exchanged between the head of the Queen's government and myself will also be forwarded.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

The Duke of Valencia to Mr. Perry.

[Translation.]

PRESIDENCY OF THE CABINET OF MINISTERS,
Madrid, May 5, 1865.

SIR: The horrible crimes committed on the persons of the President and Secretary of State of the United States have caused a painful and profound sensation in the Spanish nation, which is united to that great republic by the ties of a true friendship and cordial sympathy.

Although, at the first moment this sad news reached us, I hastened to make known to you personally the profound grief of her Majesty the Queen, my august sovereign, and of her government at that immense misfortune, I have to-day the honor to transmit to you the annexed copies of the declarations made by the senate, and the congress of deputies, associating themselves to the great sorrow of that generous nation, for the abominable crime perpetrated on the person of its illustrious and respected President.

The affliction which the death of that eminent statesman has produced to the government of her Majesty is in part relieved by the welcome news that the life of the Secretary of State for foreign affairs is happily not in great danger, but, on the contrary, that there are well-founded hopes he may obtain a prompt and complete recovery. Please God it may be so, for the good and prosperity of that noble country of which you are the most worthy representative.

I avail myself of this occasion to renew to you the assurance of my most distinguished consideration,

THE DUKE OF VALENCIA.

The CHARGÉ D'AFFAIRES *of the United States of Amecica.*

[Translation.]

Presidency of the Cabinet of Ministers—Congress of Deputies.

PALACE OF THE DEPUTIES,
May 2, 1865.

EXCELLENCY: The congress of deputies in the session of yesterday has declared unanimously that it associates itself to the profound sorrow of the United States for the abominable murder of their worthy President, Abraham Lincoln. The which we communicate to your excellency for the information of her Majesty's government and the consequent effects. God guard your excellency many years.

COUNT OF CAMPOMANES, *Deputy Secretary.*
RAFAEL CHARON, *Deputy Secretary.*

The PRESIDENT *of the Cabinet of Ministers.*

It is a true copy:

VALENCIA.

[Translation.]

Presidency of the Cabinet of Ministers—Senate.

PALACE OF THE SENATE, *May* 3, 1865.

EXCELLENCY: The senate, in session of to-day, has unanimously declared that it associates itself to the profound grief produced in the United States by the horrible crime committed on the person of their worthy President, Abraham Lincoln.

God guard your excellency many years.

JUAN DE SEVILLE, *Senator Secretary.*
HILANON DEL REY, *Senator Secretary.*

PRESIDENT *of the Cabinet of Ministers.*

It is a true copy:

VALENCIA.

Mr. Perry to the Duke of Valencia.

[Translation.—From the original written in Spanish.]

MADRID, *May* 6, 1865.

SIR: Deeply sensible to the prompt and feeling manifestation of sympathy which your excellency was pleased to make to me, personally, in name of her Majesty the Queen, and of her government, on learning the horrible crimes committed on the persons of the President and Secretary of State of the United States, I had the honor to correspond also personally, informing you that I had made haste to transmit them to my government, and that I begged your excellency to convey to her Majesty the Queen the expressions which my heart anticipated for those sentiments of gratitude and consolation with which they will surely be received by the President and government of the United States.

Yesterday I received the welcome note of your excellency, in which you communicate to me the declarations made by the senate and congress of deputies, both legislative bodies associating themselves unanimously to the profound grief of the United States for the abominable crime committed on the person of their lamented President, Abraham Lincoln.

I can assure your excellency that these noble and spontaneous manifestations, so worthy the generous Spanish nation, will be fully appreciated by the government of the republic and by the whole people.

I take a sad but true satisfaction in sending them to-day to my government, and while I wait the appropriate replies from Washington, would request your excellency to be so good as to communicate to the senate and to the congress of deputies the expression of my profound acknowledgment.

I avail myself of the occasion to renew to your excellency the assurance of my most distinguished consideration and respect.

HORATIO J. PERRY.

His Excellency the PRESIDENT *of the Cabinet of Ministers.*

Debate in the Spanish senate, May 3, 1865.—*Translated from the original as it stands in the official journal of the senate.*

The COUNT OF VISTAHERMOSA said:

Senators: The circumstance that this body has not been in session till to-day, since the unwelcome news reached Madrid of the infamous assassination committed on the person of the worthy President of the United States, Mr. Lincoln, has prevented me from addressing the senate as I do at this moment, in the persuasion that it will know how to associate its sentiments of grief and indignation to those produced in the whole civilized world by the crime which has snatched from life a person so illustrious and so distinguished for his eminent services.

When all peoples in both hemispheres rise with one voice to condemn the cowardly assassins who have blackened the brilliant pages of that wonderful war, just when the country already saw peace on the horizon, and when, undoubtedly, that peace is owing to the efforts, the constancy, and the skill with which the lamented Mr. Lincoln has directed those events, it seems just that the senate should manifest expressly and spontaneously its profound sorrow and regret at an event as terrible as it has been unexpected; an event which has left on the minds of senators, as upon those of all the civilized world, a deep furrow of execration.

If I shall not have interpreted the sentiments of the senate in a manner worthy of its elevated character, let it supply my shortcomings, and address to the government of that republic a manifestation such as our president considers fit, informing the Queen's government of this manifestation, and making it extensive to the illustrious widow who has seen snatched away so prematurely the companion of her life, so that the world may know that if the Spanish senate cares for the rights and immunities of people, it watches no less carefully over the rights of the kings and heads of government who rule the destinies of other nations.

I therefore call upon the government of her Majesty to give the proper explanation of what has been done in this important question.

The PRESIDENT OF THE CABINET OF MINISTERS, (the Duke of Valencia,) said:

The government of her Majesty seconds with much pleasure the motion made by the senator, Count of Vistahermosa. As soon as the government learned officially the horrible crime committed in the United States, we went to her Majesty's presence to inform her of it, so that she might give me such orders as she thought fit.

Her Majesty ordered me to go and visit the representative of the United States at Madrid, and to express to him the grief and the indignation which her Majesty had felt at a crime so horrible, as well as all the interest which her Majesty felt for the leaders of the republic and for the people of the United States.

In fulfilment of the royal precept, I went to the house of the representative of the United States and made to him in the name of her Majesty and of the government that manifestation,

which he gratefully acknowledged, and I requested him to transmit the same to his government, so that the latter, with which Spain maintains and seeks to maintain such good relations, and he also labors to maintain them for the good of both nations, should be made aware of the sentiments which animate the Queen and her government. At the same time an official communication, signed by the minister of state, was sent to Señor Tassara, her Majesty's minister plenipotentiary in Washington, making known to him the same manifestation. This is what her Majesty's government can say in reply to the senator.

The COUNT OF VISTAHERMOSA said:

Though I was already aware from what had been said in the congress of deputies that this had been the course of her Majesty's ministers, I thought it right to make this motion so that the whole senate, in whose sentiments I trust I am not mistaken, might have an opportunity to join in this profound sorrow for the unmerited misfortune which has fallen upon the people of the United States, and I request the Chair for this purpose to consult the opinion of the house.

The PRESIDENT OF THE SENATE (the Marquis of Duero) then said, from the chair:

I am certain that the senate authorizes me at this moment, and with the senate all Spaniards of the provinces beyond seas and of the peninsula, to declare that the impression produced by the horrible crime committed against the President of the republic of the United States has been unanimous, and that we join ourselves to the manifestations which the civilized world is now making on account of this sad event, desiring solemnly to make known the sincere wishes of Spain for the prosperity and peace of the American republic.

The question will now be put, whether the senate approves this declaration.

The secretary of the senate, Sevilla, having put the question, it was resolved affirmatively by a unanimous vote.

Debate in the Spanish congress of deputies, May 1, 1865.—Translation from the original as it stands on the official journal of the congress.

The Deputy Señor LASALA (opposition) said:

Public attention has been occupied in these days by the events which have given rise to inevitable discussion in the senate and in this house, and by another, also a bloody event, occurring in a foreign land, to which I beg now to call the attention of the congress.

When other governments and parliaments are making manifestations on account of this horrible event, it seems natural that in the Spanish parliament, in the parliament of the nation, which, by Cuba and Porto Rico, is neighbor to the United States, something should be said, and that the initiation should be taken by the liberal opposition to the government of her Majesty.

That country which had been great in peace has not been less great in war. In that war, perhaps the most gigantic which history records, it seems, indeed, that in order so immense a pyramid of corpses should be grandly crowned, it was necessary that the body of the President of the United States should fall by the ball of an assassin.

The government of her Majesty—I wish to do it justice—I suppose will have manifested its sentiments, but I desire to know in what form; because if it should not have been in some solemn form expressing adequately these sentiments of the whole country, I shall feel obliged to make use of my right as a deputy and put this manifestation into some other form.

The PRESIDENT OF THE CABINET OF MINISTERS (Duke of Valencia) said:

Her Majesty's government some days since, by extraordinary and unofficial channels, learned the crime which had been committed in the United States, but did not wish to take any official step while the information it had received should not be confirmed; but as soon as it was known officially the government made haste to lay this intelligence before her Majesty

On taking the orders of the Queen, I received the charge from her Majesty to go and visit the chargé d'affaires of the United States in Madrid, and to express to him the profound sorrow, the immense affliction, which the Queen and the government had experienced by the horrible crimes committed on the person of the President of that republic, on that of the minister for foreign affairs, and on that of the son of the latter. At the same time an official communication was sent to him by the Department of State in similar terms, and a copy of the same was also sent to her Majesty's minister in Washington, so that he should communicate the same sentiments to the new President of the republic.

We have not laid these papers before the house because it was not customary to do so. We wished that the initiations should be taken by the deputies themselves, and it is immaterial whether this comes from the benches of the opposition or from this side, because in this case there can be but one general and unanimous sentiment in the whole house, as there is in the whole nation, for the whole nation cannot do otherwise than lament a horrible crime, an assassination perpetrated in this way on the person of the chief of a friendly nation, united to Spain in the best relations, and which, throughout the whole time of the war, has been giving and is now giving us the most positive proofs of the good sentiments which animate it in respect to all questions and all the interests of Spain. The government, therefore, associates itself to the motion made by the deputy, and would wish that the whole house and all

Spain should manifest these same sentiments, not only because this is just, but also on account of the reciprocity of sentiments which ought to exist between that nation and Spain.

The Deputy Señor CLAVOS (ministerial) said:

The president of the cabinet of ministers has very properly undertaken to express, not only in the name of the government of the Queen but in that of the majority of this house, the perfect identity of sentiment which animates all of us with respect to the proposition made by the honorable deputy who has just spoken. In this point, as the president of the cabinet has well said, there can be no diversity of opinion whatsoever among any of the deputies who sit in this chamber. The abominable crime of which the illustrious personage who presided over the American union has been the victim, is a thing which must wound painfully the fibres of all who have any sentiments of morality, and profoundly all those who have any political instinct.

It is evident that this poison which corrodes the entrails of European societies has infiltered itself beyond the Atlantic, and that it reaches all peoples. Consequently, if in the past we are afflicted by the crimes committed in Europe against crowned heads, on this occasion the future ought to afflict us still more, seeing that we discover the disease to have extended to all humanity.

We who glory in being partisans of the principle of authority, we ought to feel this worse than any. In fact we believe that the principle of authority is a species of reflex of the divine power, understanding this phrase in its right sense, in the sense in which it seems to me it cannot be denied by anybody, considering the public power in its august social manifestation, not precisely in kings, as is vulgarly believed, but in whomsoever represents it socially and legitimately, is sacred.

This principle, then, is for us incarnate in the person of the president of a republic, as it is in that of our own august sovereign, or in that of any crowned head of Europe.

We therefore join ourselves to this worthy, opportune, and most fitting manifestation; and I think in so saying I interpret faithfully the sentiments of the majority, (by many deputies, yes, yes,) and I may say we are perfectly agreed to what has been said by the deputy Lasala and by the president of the cabinet.

To us it is most grateful, seeing that we are divided on other questions in which our opinions differ, to be perfectly united on this point, which is of great interest, for the question is the condemnation, present and future, of those sacrilegious attacks against a principle alike sacred to every member of this house.

The PRESIDENT OF THE CABINET OF MINISTERS said:

I omitted to state to the congress that the latest information of the government is that the Secretary of State for foreign affairs, who has been wounded most severely, as well as his son, it is hoped may both recover from the sad condition to which they were reduced, and that the assassin is arrested.

The Deputy Señor LASALA:

Both times the President of the cabinet has risen he has satisfied me completely. This is what I hoped for from the government of her Majesty on this occasion; and without entering now into any considerations upon the origin of power, it seems to me that in point of fact the house is now ready to make the manifestation which the president of the cabinet has indicated. I, personally, ought not to propose it. And although there are here many persons more competent, better authorized and more conspicuous than I am on these benches, and on the other side of the house, they would not have authority sufficient to make this manifestation.

But there is in this chamber one person who can make it, (the orator is interrupted by the president of the Congress,) and at this moment he is interrupting me to say that he will make it.

The PRESIDENT OF THE CONGRESS OF DEPUTIES (from his chair) said:

Gentlemen deputies, I consider it my privilege as well as duty to interpret on this occasion the sentiments of you all, of the whole congress and of the nation, declaring that this house associates itself to the profound affliction which has fallen upon the United States in the horrible crime committed upon the person of the President of that republic, and which has just occupied the attention of this house.

The question being then put whether the house adheres to the declaration made by its president, it was agreed to without a dissenting voice; and on motion of deputy Iove and Hevia, it was ordered to be entered on the record with the adhesion of the house by an unanimcus vote.

Mr. Perry to Mr. Seward.

No. 196.] LEGATION OF THE UNITED STATES,
Madrid, May 7, 1865.

SIR: I have the honor to enclose an official copy of the law for the abandonment of San Domingo, which, after passing both chambers of the legislature

was signed by the Queen on the 30th ultimo, and published in the senate on the 3d instant.

I am informed that the necessary orders have been immediately sent out for the prompt evacuation of the island by the Spanish military and naval forces, and by the civil administration.

The more recent debates on this question in both houses have elicited nothing new, and, though I have considered it my duty to follow them pretty closely, there has been no particular occasion to report to you.

You are aware that I have seized every opportunity to undeceive the Spanish government as to the entravagant declamation of the orators opposed to this wise measure, tending to create the impression that the United States were constantly lying in wait to pounce upon the Spanish American colonies, and that the only way to keep Dominica out of our hands, and prevent its becoming an outpost of the United States, threatening Cuba on the one side and Porto Rico on the other, was to hold on to the coveted island, and fortify, garrison, and defend it to the last extremity as the keystone in the arch of Spanish colonial power in America.

Without in any way making myself conspicuous, I have not failed to embrace every occasion to converse with deputies and senators in such a way as to show them the wholly imaginary basis of these apprehensions. My well known antecedents in opposition to the Jeff. Davis or Pierre Soulé policy of war for Cuban annexation in 1855, have again stood me in stead to produce conviction now. I said, those projects which were attributable to our slaveholding faction, and undertaken for the sake of slavery by that party which has since gone into rebellion against the government of the republic for the same cause, cannot be attributed to the goverment which is fighting these very men and which maintains me as its humble representative here. Nor is it conceivable that I should now be in the service of an administration harboring such projects, when in 1855 I made war upon the traitors who did harbor them, though it involved my separation from the service. But I had since protested against the annexation of San Domingo. True—and this was in fact the only question on which it might be possible to breed serious difficulty between the United States and Spain—the former Spanish administration had made a great mistake in going into Dominica, and we had protested against it in such terms as we thought the case demanded. But if Spain would only keep within her own limits in America, she need have no apprehension at all that the United States would go out of theirs to trouble her power in her own islands. It must be tolerably evident that we could not be very ambitious to have upon our hands the question of any additional negro population now, whether slave or free.

As to Dominica, it was a source not of strength but of weakness and embarrassment to any power who should possess it. Spaniards had certainly found it so, and I did not understand why they should consider the place so desirable for us.

Probably, if we had had the misfortune to have an army stationed in Dominica, and our men were dying as fast as those of Spain, we should have withdrawn from that country long ago; and the point of honor whether those natives had beaten us or we had beaten those natives would not have troubled us greatly.

In my conferences with Mr. Benavides on this subject I was greatly aided by your clear and most opportune instructions. Towards the last of March I received your instruction No. 70, of February 27, and immediately made a Spanish translation and placed it in Mr. Benavides's hands.

You will find enclosed the translation of a paragraph of his speech, pronounced soon after, on the 29th of March, which is evidently based upon the ideas set forth by you.

The vote for the bill was in the congress of deputies 157 for, to 68 against;

and in the senate, on the 29th ultimo, 93 for, to 39 against the project of the government.

Thus I beg to congratulate you upon the final termination of this vexed question.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Translation.]

Extract from the speech of Mr. Benavides, Minister of State, in the congress of deputies March 29, 1865, on the bill for abandonment of San Domingo.

Much has been said here also about the United States. The United States are presented as a bugbear by certain classes of persons when they talk about the question of San Domingo and the question of the existence of our West Indies. Señor Ulloa has talked to us about a new Salamy. It is said here that the day approaches of great armed conflicts; it is said that in our days we shall witness a conflict between Europe and America; a conflict which will be colossal—of such proportions that it shall have no parallel in history; and all this is said with reference to the question of San Domingo, of its annexation and of the project of abandonment which now occupies us.

I, gentlemen, perhaps may be a false prophet; you will have a perfect right to say so, and I cannot answer you; but I believe that those who talk in that manner are greatly mistaken; that those great conflicts are not to be feared; that the new Salamy is not coming; that none of those conflicts is coming; none of those battles in which the two parts of the world, America and Europe, will come into collision.

I believe that nothing of that kind is about to happen; and it is clear. Deputies will ask me what data, what motives, have you to think in that agreeable way? for it is agreeable, undoubtedly, to think in this way.

I, gentlemen, on this occasion cannot say much, but I have reasons to believe, I am intimately convinced that the day the war ends between the States of the north and south of America, the day those great battles terminate—would to God it were to-morrow for the good of humanity—the United States are not going to make war on Europe. They are going to do something greater, something which great people love better to do. They have a need greater than that of fighting, and it is not certainly the need of more territory. Gentlemen, they are going to work to strengthen the union of the United States: that is their passion—that is and must always be their strength; that is always their idea, and that is always their necessity. That is what is going to happen. They will strengthen their union undoubtedly, and to that end they will dedicate all their political work, and I have a most intimate conviction of this.

This agreeable way of thinking, gentlemen deputies may credit it or not; to me it belongs to speak thus because I have data which warrants me. I cannot explain myself further upon this point.

Mr. Perry to Mr. Seward.

No. 197.] LEGATION OF THE UNITED STATES,
Madrid, May 12, 1865.

SIR: Yesterday I had an interview with Mr. Benavides, in which I took occasion to speak upon the subject of your instruction No. 78, of March 21, this being the first opportunity on which a secretary of state for foreign affairs has been visible in Madrid since your instruction was received. Mr. Benavides immediately said that he thought Admiral Pareja was disposed to be a little hard upon Chili, though, in fact, that government had given serious motive for complaint. But Mr. Benavides said it was his policy and the wish of his government to avoid all possible complications with the republics on the Pacific coast, and he had sent out instructions to the Spanish representative in Chili not to insist on indemnity for the damages suffered by the Spanish fleet because of the refusal of Chili to allow their ships to coal in her harbors, though that damage was positive and the refusal of Chili an unwarrantable act.

He had instructed the Spanish representative not to ask any pecuniary indemnity for any of these unfriendly acts. But the Spanish consul had been assaulted, his consulate rifled, and the Spanish flag insulted. He had instructed the Spanish minister to require the disapprobation of these acts from the Chilian government, and that the flag of Spain should be saluted by order of the government of the republic, with which customary act, in such cases never refused, the Spanish representative was to announce all disagreeable incidents between the two governments terminated satisfactorily.

Mr. Benavides explained to me that in this case Admiral Pareja would not have the conduct of the negotiations, but the ordinary diplomatic representative of Spain resident in Chili.

I expressed to Mr. Benavides my own hope that on this basis cordial relations between Spain and the Chilian government would be promptly restored.

Your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 198.] LEGATION OF THE UNITED STATES,
Madrid, May 12, 1865.

SIR: Mr. Benavides has so far recovered his health as to be able to resume the discharge of his official duties as minister of state.

Yesterday was his first reception of the members of the foreign diplomatic corps since his return to Madrid, and I took this occasion to read to him your important instruction No. 86, of April 4, concerning the project for the neutralization of Hayti and San Domingo.

Mr. Benavides said he was not surprised by your decision, which was in complete consonance with the traditional policy of the United States in such matters.

Some days previous I had seen Mr. Madíon, Haytien minister at this court, to whom I also read your instruction. Mr. Madíon was pleased with the tone of it, but thought that your decision would be the cause of the failure of the plan, as the other powers were all dependent upon what the United States should consent to do.

The fact was, that the agreement of the United States to the project was the one thing essential on which the success of the whole project hinged, and this failing, though the United States should look with pleasure upon the realization of the plan by other powers, none of these would move. He therefore considered that the whole project would have to be abandoned without more trouble in the matter.

Mr. Benavides also said that, in his opinion, in the absence of the co-operation of the United States, nothing would be done.

Sir John Crampton, the English minister at this court, who had also been consulted in this business, expressed to me in conversation, also, that there would nothing come of it.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Hunter

No. 199.] LEGATION OF THE UNITED STATES,
Madrid, May 13, 1865.

SIR: Your circular instruction of April 17, giving me official information of the horrible crimes committed in Washington on the night of the 14th of April, your printed circular of same date, ordering crape to be worn for six months, and your instruction No. 92, of April 18, in which, among other things, you transmit the welcome intelligence that the condition of the Secretary of State and of the Assistant Secretary was improving, have been received.

You will have learned by my recent despatches, Nos. 193, 194, and 195, that this intelligence was long since anticipated by the telegraph, and I have not hesitated to take official action based on a telegram from Mr. Adams, our minister at London, dated the 26th ultimo. My own dispositions have been communicated to the department, as well as the action taken by the Spanish government, Queen, and legislative bodies, in presence of these events.

The full mourning ordered by me will be preserved in this legation and consulates during the thirty days, and afterwards reduced to the crape upon the left arm for six months from the 15th April, in compliance with your printed orders to that effect.

I beg to congratulate you with all my heart upon the improved state of both the Messrs. Seward, which I am happy to find fully confirmed by more recent telegrams, and I trust, indeed, the permanent and complete recovery of both may now be reasonably anticipated. In this belief I beg to enclose the accompanying private letter, which, if he be able to receive it, I beg you will be so good as to have delivered into Mr. Seward's hands.

The occasion also permits me to offer to yourself the sincere expression of my personal respect.

Your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM HUNTER,
Acting Secretary of State, Washington.

Mr. Hunter to Mr. Perry.

[Extract.]

No. 98.] DEPARTMENT OF STATE,
Washington, May 16, 1865.

SIR: Your several despatches, from No 188, of the 21st ultimo, to No. 191, of the 24th ultimo, together with your private note, dated April 8, have been received. The thrilling account given in your No. 190 of the effect produced in the Spanish capital by the news of the fall of Richmond is highly interesting.

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I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Perry to Mr. Hunter.

[Extract.]

No. 201.] LEGATION OF THE UNITED STATES,
Madrid, May 23, 1865.

SIR: General Prim left Madrid yesterday at one o'clock, on the northern line of railway. General Milans del Bosch, who will be remembered as the gentleman who went to Mexico to treat directly with President Juarez before the

rupture between the Spanish and French commanders, left also by the same line at half past eight o'clock last evening.

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There are certain persons in Madrid who are persuaded that a revolutionary movement is about to break out in this country, and that the throne of Queen Isabel is seriously threatened.

In this connexion I hear it mentioned that Señor D. Salustiano Olozaga, former prime minister and a prominent leader of the progresista party, is now in Italy, after having been in Paris, and it is understood that money proceeding from Italy has been received by other prominent men in Madrid. At the same time, General Chialolini, of the Italian army, is on a visit here to his wife's relatives, who are Spanish, but I see no indications that the people in Madrid are preparing for a popular insurrection—certainly not at present; and it is to be supposed that this event, if it occur at all, is not so near as it is represented to be.

I have the honor to remain, with high respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. W. HUNTER,
Acting Secretary of State.

Mr. Hunter to Mr. Perry.

No. 100.] DEPARTMENT OF STATE,
Washington, May 30, 1865.

SIR: I enclose herewith, for your information, a copy of a note of this date, addressed to Mr. Tassara, on the subject of the surrender of the ram Stonewall to the authorities of her Catholic Majesty at Havana.

I take this occasion to acknowledge the receipt of your very interesting despatches Nos. 194, 195, and 196, together with one not numbered, dated April 29. Your proceedings are approved.

I am, sir, your obedient servant,

W. HUNTER, *Acting Secretary.*

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Hunter to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, May 30, 1865.

The undersigned, Acting Secretary of State of the United States, is directed by the President to acquaint Mr. Tassara, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, that official intelligence has been received at this department, from the consul of the United States at Havana, that the insurgent ram Stonewall, *alias* Olinde, which has been a subject of recent correspondence between this department and Mr. Tassara, was, on the 19th instant, surrendered by the person in charge of her to the authorities at that port, in whose custody she is supposed to remain. As this surrender must have been made for the purpose of evading the capture or destruction of this vessel by the naval forces of the United States, on her leaving Havana, which it is believed were entirely competent for either of these purposes, the proceeding must have been actuated by a desire to defraud the United States of their incontestable belligerent rights.

It is not conceived how, by the law of nations, Spain could acquire from the commercial possession of the Stonewall any title to that vessel, if the person who made the deposit with the captain general of Cuba had been, in fact, at the time of deposit a belligerent rebel. Yet he could convey no title in an

armed and hostile ship to a neutral state; but, in point of fact, those in command of the vessel, had at the time of her surrender, lost all the characteristics and privileges of a belligerent. They were pirates; no more, no less. The Stonewall belonged to their true sovereign the United States, even without capture. Spain, as it seems to the United States, could not by purchase or conveyance defeat the right of the United States to the vessel.

Under these circumstances, and for the reasons stated, it is expected that the vessel will be delivered to the consul of the United States at Havana. Any reasonable expenses which may have been incurred by her Catholic Majesty's authorities, in consequence of the surrender and custody of the Stonewall, will be paid by the Navy Department here, upon presentation of the proper accounts.

The undersigned offers to Mr. Tassara, on this occasion, renewed assurances of his highest consideration.

W. HUNTER.

Señor Don Gabriel Garcia y Tassara, &c., &c., &c.

Mr. Perry to Mr. Seward.

[Extract.]

No. 205.] Legation of the United States,
Madrid, June 5, 1865.

Sir: * * * * * * * *

Your No. 83, concerning the withdrawal of the declaration of neutrality and belligerent rights by this government, was made the subject of a conference with the Spanish minister of state, Mr. Benavides, who answered as usual that he was desirous to take the step indicated. I have subsequently recurred also to this subject, but nothing practical has been accomplished till the knowledge of the President's proclamation of May 10 was communicated to Mr Benavides, as related in my No. 203 of June 2.

To-morrow will appear in the official Gazette a royal decree, signed by the Queen, at Aranjuez, yesterday, simply declaring the termination of the civil war in the United States, and annulling the royal decree of neutrality of June 17, 1861, with its declaration of belligerent and neutral rights, and all the rest which it contained.

I have said to Mr. Benavides, from the first, that I considered this the best form for terminating the objectionable state of international relations between Spain and the United States established by that decree of 1861, and I only regret not to have been able to obtain it until the President's proclamation of May 10 has come to stimulate the action of this government.

The Gazette of to-morrow will be published in time for me to enclose the printed royal decree of the 4th instant with this despatch, which leaves in the mail of 11 o'clock a. m. to-morrow.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. William H. Seward,
Secretary of State.

[Translation.]

DEPARTMENT OF STATE, ROYAL DECREE.

The war between the northern and southern States in the republic of the United States being terminated, and there being an end, in consequence, by the re-establishment of peace, to the circumstances which induced the provisions contained in my royal decree of June 17, 1861, referring to the neutrality of Spain in the said war, I decree what follows. Only article. My royal decree of June 17, 1861, is abrogated.

Given at Aranjuez, the fourth of June, one thousand eight hundred and sixty-five, under the royal rubric.

The minister of state.

ANTONIO BENAVIDES.

Mr. Perry to Mr. Seward.

No. 207.] LEGATION OF THE UNITED STATES,
Madrid, June 6, 1865.

SIR: I have the honor to transmit the original report made by the consul of the United States at Alicant of the proceedings on the occasion of receiving a deputation of the democratic party of that province, who manifested their sentiments in view of recent occurrences in the United States, and requested that the same should be made known to our government.

I also enclose the address presented by a deputation of the democrats of Keres, near Cadiz, forwarded by Mr. Little, and referring to the same events.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[For enclosures see Appendix, separate volume.]

Mr. Perry to Mr. Seward.

No. 208.] LEGATION OF THE UNITED STATES,
Madrid, June 8, 1865.

SIR: I have the honor to enclose the address signed by the natives of Cuba and Porto Rico resident in this capital, on occasion of the death of President Lincoln, and which was presented to me yesterday by a committee of their number. Remarks appropriate to the occasion were made by one of the committee and replied to by me.

Your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[For enclosure see Appendix, separate volume.]

Mr. Perry to Mr. Seward.

LEGATION OF THE UNITED STATES,
Madrid, June 14, 1865.

SIR: On the night of the 10th instant the colonel, lieutenant colonel, two majors, and captains of the regiment of Bourbon, in garrison at Valencia, were surprised in the barracks as they were about to lead the regiment out in insurrection, and were made prisoners. At the same time a force surrounded the progresista club in that city and made sixteen of the leading members prisoners.

In consequence of this event the captain general of that province, Lieutenant General Villalonga, marquis of Maestrasgo, formerly a Carlist leader, has also been dismissed from his command, and with him Major General La Rocla, second in command, with many inferior officers.

Whatever this movement may have been intended to be, it seems to have been abortive. Nevertheless, the Queen's government seems to be convinced that it has not suppressed the revolutionary symptoms in the peninsula by its vigorous and timely action at Valencia. The military governor of Cadiz has also been removed. The position of troops is being constantly varied, and movable columns of one brigade of infantry, with artillery and cavalry in proportion, have been organized and are moving from point to point throughout the country.

It being currently reported that General Prim was at Valencia, again that he was at Perpignan, on the frontiers of Catalonia, again that he had chartered a fast steamer at Marseilles, and was on the Mediterranean, the government has publicly withdrawn his leave of absence to travel abroad, and ordered him in the official Gazette of to-day to proceed by the straight road to Madrid, and report to the minister of war. The Spanish ambassador has, however, telegraphed from Paris that he has not been able to convey this order to the hands of General Prim, because his family, now at Paris, were not able to inform him where the general now is.

General Milors del Bosch, also enjoying a leave of absence abroad, has been ordered to report at Ceuta ; various aides-de-camp and officers especially attached to these leaders have been ordered to out-of-way places, or are in hiding to avoid receiving such orders.

A circular order of the minister of interior government, published to-day, orders the civil governors of the provinces to close immediately all the clubs, cafés, reading-rooms, or societies, whatsoever be their name or apparent object, in which political subjects may have been or may be treated of, and which, in the opinion of the governor, may contribute to disturb the public tranquillity.

This is a sweeping order, and practically will amount to closing all places of meeting and of conversation, except those where the partisans of the government resort.

I send enclosed a translation of the text of this order.

Everything still bodes that the summer will not pass without a conflict, and the transcendent nature of the questions at issue is confessed by the minister to be nothing less than the destruction of the institutions and the political system now existing. The indications now are that open insurrection will not be long delayed.

Still, it is possible that the Queen, by yielding on two or three great questions, such as the recognition of the kingdom of Italy, reform of the electoral laws and lists of voters, &c., may temporarily put off the day when the people of Spain shall require her to vacate the throne.

I have the honor to remain, with the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Translation.]

MINISTERIAL DEPARTMENT OF THE GOVERNMENT OF THE INTERIOR, SECTION OF PUBLIC ORDER.

[Circular.]

To the Governor of the province of ——— :

Taking into consideration the agitation produced in people's minds by the constant association in different places of meeting of persons who sustain and diffuse illegal opinions calculated to destroy the institutions and the political system now existing, the Queen (whom God protect) has been pleased to order that, in fulfilment of article 5th of the law of June 22, 1864, concerning public meetings, your excellency shall immediately dissolve all the clubs, reading and conversation rooms, meetings and societies, whatsoever be their denomination or apparent object, in which political subjects have been treated or may be treated, and which, in the opinion of your excellency, may contribute to disturb the public tranquillity.

By the royal order I communicate this to your excellency for its corresponding effects.

God grant your excellency many years. Madrid, June 12, 1865.

GONZALEZ BRAVO.

Correct translation :

H. J. P.

Mr. Perry to Mr. Seward.

No. 212.] LEGATION OF THE UNITED STATES,
Madrid, June 25, 1865.

SIR: On the evening of the 21st instant I had the pleasure to meet the new minister of state, who took possession of his portfolio on that day, and spoke to him of the urgency of the affair of the Stonewall at the Havana.

On the 25th instant I met him again by appointment, at his department, when, after reviewing the facts of her surrender to the Cuban authorities, without any other condition except the advance of sixteen thousand dollars, understood to have been appropriated to paying off her crew and furnishing them transportation out of the Spanish dominions and to their several homes, the minister then informed me that it was the decision of her Majesty's government that the Stonewall should be immediately delivered to the authorities of the United States, our government refunding to the captain general of Cuba the sixteen thousand dollars advanced by him upon the security of this ship. Upon the question whether that was satisfactory to my government, I said, of course that was a question which the government must decide for itself; but, without going into the question of right at all, I considered that if, in point of fact, the sixteen thousand dollars was understood to be the price which it had cost the Cuban authorities to break up this organization of pirates, get possession of their ship, and free her Majesty's dominions of their presence by giving to every man the means of transportation to his own country, so that they should not become a charge upon the authorities of Cuba, and should thus be afforded an opportunity to undertake some honest way of living for the future, I did not doubt the government of the United States would refund that money on taking possession of the ship surrendered to her Majesty's authorities under those conditions by the pirates who had her in charge.

I was then authorized to communicate to you that orders would be sent immediately to the captain general of Cuba to deliver the Stonewall to the authorities of the United States, which I did by telegram to Queenstown the same evening. Copies of official notes on this subject will be forwarded.

Your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[Telegram.—Sent June 22, at 7 o'clock p. m.]

[For the Secretary of State, Washington.]

MADRID, *June* 22.

To the American consul, Queenstown, Cork:

I am authorized to say that orders will be given to the captain general of Cuba to deliver the Stonewall to the government of the United States.

HORATIO J. PERRY.

Mr. Perry to Mr. Seward.

No. 213.] LEGATION OF THE UNITED STATES,
Madrid, June 27, 1865.

SIR: The chargé d'affaires of his Majesty King Victor Emanuel informed me the day before yesterday that the minister of state, Mr. Bermudez de Castro, had announced to him the determination of the Spanish government to recognize the new kingdom of Italy, and invited him to enter into negotiations for that purpose.

The chargé d'affaires told me that he had replied he had no instructions to negotiate on that subject, but he would inform his government of the purpose of Spain, and await its instructions.

I am informed that the celebrated prioress of the convent of San Pascual, in Aranjuez, has been removed to a convent in the town of Ubeda, near Jaen.

The new electoral law has been presented by the government to the congress of deputies substantially in the terms foreseen in my despatch No. 211, of the 22d instant. It is a little doubtful whether this congress, elected under the influence of the Narvaez cabinet, and with a total abstention of progresistas and democrats from the polls, can be brought to vote this electoral reform and extension of suffrage. But the throne has been so near the brink of an abyss for lack of it, that it is possible these high prerogative deputies may themselves be brought to vote it.

If not, we shall have a dissolution—a new chamber elected to vote this bill—and as soon as it is voted, another dissolution, in order to arrive at an election under the new law.

A general amnesty has been published for all offences committed by the press, with release from imprisonment, refunding of fines, &c., in all cases which have already been decided, and *nolle pros.* entered in all cases now pending. This sends, as I am told, about one hundred and twenty causes out of court, and puts the newspaper press where it was before the Narvaez cabinet took power.

It is understood that the law on the press will also be modified in a liberal sense. The royal order revoking the leave of absence of General Prim and commanding him to report in Madrid was also immediately revoked by the present cabinet, as well as all the military orders against individual officers of the latter period of Narvaez rule. All causes undertaken in consequence of recent revolutionary movements have been dismissed.

A general replacement of military and civil employés is going on, which will soon leave none of the adherents of the late cabinet in place. But whether the progresista and democratic parties will be satisfied with the concessions which are now being made to them with full hands is not yet settled. Should they come in and consent to exercise their electoral privileges under the new law, the Queen will have made a great step; they claim, however, a reform of the senate, also, and it is not impossible that, as things go now, they may get it.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Perry.

[Extract.]

No. 105.] DEPARTMENT OF STATE,
Washington, July 6, 1865.

SIR: I have the honor to acknowledge the receipt of your despatch, No. 205, of the 5th of June with its accompaniment, a copy of the Gaceta de Madrid of the 6th of the same month.

Your proceedings in submitting the President's proclamation of May 10 to Mr. Benavides are approved, and I have now to express on behalf of the President the satisfaction with which he has learned of the prompt withdrawal by the Spanish government of the belligerent character with which it had heretofore most unnecessarily invested the rebels. * * * *

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., &c., &c., *Madrid.*

Mr. Perry to Mr. Seward.

No. 214.] LEGATION OF THE UNITED STATES,
Madrid, July 23, 1865.

SIR: The diplomatic correspondence under date of the 13th, 16th, and 20th of May last, between the representative of her Catholic Majesty, Sr. Tavira, at Santiago de Chili, and the minister of foreign relations of that republic, Sr. Covarrubias, which you will probably have seen, having been published in the Spanish newspapers, has been denounced in unmeasured terms by the ministerial press of the capital as shameful and derogatory to the dignity of Spain. It being pretty evident that the solution of the questions in debate between this government and Chili, which had been accepted by Sr. Tavira, could not be approved by the Queen's government, I took advantage yesterday of the weekly reception granted to foreign representatives by Mr. Bermudez de Castro to recur to the subject of your instruction No. 78, of March 21.

Without in any way seeking to give an air of too much importance to my remarks, I stated frankly to Mr. Bermudez de Castro that the government of Chili had addressed you on the subject of their differences with Spain, and that you had authorized me to use my good offices to soothe irritation, and prevent, if possible, any serious misunderstanding between the two governments in question. That the United States had no other motive than the desire of peace, and had authorized me to take no part and offer no counsel except such as was dictated by a spirit of impartial friendship to both parties at variance.

I had seen Mr. Benavides in that spirit, who had given me certain assurances relative to the policy which would be pursued by Spain towards Chili, which had inspired me with the hope that cordial relations would, on that basis, be promptly restored between Spain and Chili. I had noticed, however, that the press in Madrid considered friendly to the present cabinet had bitterly denounced what was called peace with Chili, and seemed to intimate that the solution arrived at by Mr. Tavira would be disapproved and a change of policy adopted towards Chili by her Majesty's government. I wished Mr. Bermudez de Castro to be informed of the antecedents between Mr. Benavides and myself, and for this purpose handed him a copy of my despatch to you of May 12, No. 197, giving an account of an interview therein related.

Mr. Bermudez de Castro, after reading that paper, said, in substance, that Mr. Benavides had, in fact, communicated to Mr. Tavira instructions in the sense therein related, under which he was not to insist on any indemnity, but to claim that the objectionable acts and grievances suffered by Spain, which Mr. Bermudez de Castro repeated substantially as they are set forth in Mr. Tavira's note to the Chilian government of May 13, (printed copy enclosed,) should be disavowed or satisfactorily explained by Chili, and that the Spanish flag should be formally saluted, which salute they had offered immediately to return.

Mr. Tavira, however, had not obeyed these instructions. Just previous to receiving them he had, on the 12th May, written a despatch to Admiral Pareja, and sent it off by the war steamer then waiting his orders at Valparaiso, saying that he had had recent conferences with Mr. Covarrubias, and that all the Chilian government could do was what he therein related and which coincides substantially with the contents of Mr. Covarrubias's note of the 16th May, as subsequently published, (9 V., enclosed,) that he, Mr. Tavira, considered this unsatisfactory and he would not accept it; he begged, therefore, Admiral Pareja to send him a force of vessels from the fleet, as the only way to get something more satisfactory from the Chilian government; that the departure of the war steamer with his despatch for the fleet would probably produce some impression, but that he would not send in his formal note repeating the grievances for which Spain expected satisfaction until four days later, (16th May,)

in order to give time for Admiral Pareja's reply, with the vessels solicited to approach the Chilian coast. Mr. Bermudez de Castro said that Sr. Tavira then received the instruction of Mr. Benavides before referred to on the 14th May, and that notwithstanding their plain import, on the 15th May he wrote and sent in to Sr. Covarrubias his note dated the 13th May, so as to appear to have been written before he got Mr. Banevides's instructions, in complete neglect of his own statement to Admiral Pareja, that he would wait four days before taking that step. That the note of Sr. Covarrubias of the 16th May, in reply, was substantially the same, as was foreseen in Mr. Tavira's despatch to Admiral Pareja, declared by himself wholly unsatisfactory, and that in fact it did not contain the points he was instructed by Mr. Benavides to insist upon as indispensable. That Mr. Tavira's reply to Mr. Covarrubias on the 20th May, six days after he had avowedly received Mr. Benavides's instructions, could hardly be accounted for. But Mr. Bermudez de Castro said that this action of Señor Tavira had been immediately disapproved and denounced by Admiral Pareja, and that it would not be accepted by her Majesty's government.

On the contrary, Señor Tavira would be immediately removed from his post and ordered to return home and give account of his proceedings. That Admiral Pareja would be instructed to proceed with such force as he thought sufficient to Chili, and propose to that government such terms of arrangement as were consonant with the dignity of Spain, which, if they were accepted by that government, would terminate the matter, and Spain would immediately commission another minister to reside at Santiago in place of Mr. Tavira, resuming all the forms and substance of perfect friendship and good intelligence between the two governments, which were the only relations desired by Spain. But if these terms of satisfactory arrangement should be refused by Chili, then Admiral Pareja would be instructed to exact them by force.

But there would be no change of policy on the part of the Spanish government. The terms of settlement to be insisted upon were those of Mr. Benavides's instructions—disapproval or apology for the grievances set forth, and the Spanish flag to be saluted, which salute would be immediately returned and no indemnity for the damages suffered by Spain. These, I must understand, however, were the terms for a peaceful settlement.

If they were refused, and Admiral Pareja should be forced to take measures of another kind, then Spain reserved her right to exact indemnity for the past—indemnity for her war expenses, and guarantees for the future according to her own sense of her rights and her ability to enforce them. But here also the first act of Admiral Pareja would be, under his instructions, to address a circular to all the Spanish American republics, assuring them that Spain had no designs upon their territory or independent sovereignty, and no desire for any especial favor or influence in any of them. That Spain would treat them in all respects as foreign and independent states, and that she expected to be treated by them not with any special favor or consideration, but with precisely the same courtesy and consideration which of right belonged to every other foreign nation in its intercourse with those republics; no more and no less.

And Mr. Bermudez de Castro added, speaking more directly to me, that if Chili, or any one of those republics, were to offer him its territory or any part of it, he would not accept the gift. He would not accept the Chincha islands, though it would seem they at least might be turned to some account.

He said also that Admiral Pareja would be permitted by his instructions to communicate with the foreign representatives and consuls in Chili, freely informing them of the steps he should take with the Chilian government, and that he would be glad of their good influence to aid in securing a peaceful termination to this difficulty.

I inquired what would be the nature of Admiral Pareja's measures in case Chili should not accept the proposed settlement.

Mr. Bermudez told me that he would be instructed then to put the whole Chilian coast under blockade. And in reply to further questions, he said that the blockade would last for one month, and if the Chilian government had not in that time concluded to accept the conditions offered by Spain, the admiral would be authorized to perform any and every other hostile act against the power and prosperity of Chili, recognized as legitimate in a state of war, throwing upon the government of Chili the responsibility.

I have thus given the substance of this interview, and Mr. Bermudez de Castro has since read and approved the same.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

[*Documents on the arrangement with Chili.—Translation.*]

LEGATION OF SPAIN IN CHILI, *May* 13, 1865.

YOUR EXCELLENCY—MY DEAR SIR: The unpleasant events which occurred in this place about the 1st of May of the past year, by reason of the Hispano-Peruvian question, obliged me, as the minister resident of her Majesty near your government, to transmit to you the notes dated 4th, 13th, 23d and 28th of May, 8th June, 4th July, 21st and 27th September, 6th and 26th October, 12th, 23d and 24th November, 7th and 15th December.

Your excellency, in reply, addressed to me those dated 14th, 15th, 28th and 31st of May, 4th and 7th of July, 24th and 29th of September, 4th and 24th of October, 7th, 8th, 19th, 28th and 29th of November, and 14th of December, of all which I gave opportune information to her Majesty's government.

The pacific and friendly solution of the Hispano-Peruvian question has occurred to justify, what I always told your excellency, that it was an isolated fact. If your government did not accord to this the assent due to it; if the press created imaginary phantasms to have the pleasure of combatting them, and misled public opinion, and your excellency did not think proper to impose on it the wholesome corrective which you might, within the bounds of law, I will not for that fail to congratulate myself for having fulfilled my duty. The word *corrective* I have used generally in the notes of which I have made mention, and I have arrived at the persuasion that you did not give to it the true and genuine meaning, because, were it not so, I should not know how to account for it that your excellency could not interfere with the extravagances of the press and of public opinion, without infringing any law, having at your disposal the official newspaper, the parliamentary tribunal, &c.

On the very day, I noticed, with pain, that moderation and propriety were far from being the guide of all the publications.

I, who, as representative of her Majesty, who, in the early days of the contest, limited myself solely to uttering pacific assurances and proper protests in defence of the rights of my nation, will not pass beyond the limits of moderation and justice on account of the constant intemperance of some writers, most of all when results have justified my forecast and loyalty. But as the deplorable events pointed out occasioned special action, in compliance with what is settled in article 12 of the treaty concluded between Spain and Chili, which says: The republic and her Catholic Majesty, desiring to maintain the peace and good accord which happily has now been established by this present treaty, declare solemnly and formally:

That if (which God forbid) the good understanding which ought to rule in the future between the contracting parties should be interrupted through want of comprehension of the articles here agreed upon, or for any other cause of offence or complaint, neither of the parties shall be authorized to sanction acts of reprisals or hostility by sea or land without having presented beforehand to the other a justificatory memorial of the motives on which it founded the injury or wrong and the denegation of competent satisfaction.

I place before your excellency that the government of her Majesty believes that the government of the republic has infringed the law of nations, the treaty aforesaid, and that it has given offence—

1. In that measures were not taken to avoid affronts given to its flags on the 1st of May of the year last past, as your predecessor Señor Don Manuel Antonio Tocornal offered to me, and the commandant of the municipal battalion, who remained impassible in front of the legation, making his troops mark time during the act, was not brought to trial.

2. In that your predecessor made to the Hispano-American republics the protest of the 4th May of the previous year, thus infringing what is settled in article 12 of the treaty between Spain and Chili.

3. In the government not applying the wholesome correctives to aberrations of public opinion within the limits authorized by law and urged upon it by duty.

4. In that in proportion as it allowed the Peruvian war steamer Lerzundi not only to take in supplies of coal, provisions, and powder, but also to establish a bounty on the enlistments of seamen, (of which it took off three hundred men, a few more or less, who were allowed to embark after the port was closed,) it placed obstacles in the way of sending supplies to her Majesty's squadron.

5. In that it did not order the institution of the preparatory proceedings asked for by me to investigate the truth as to the expedition of volunteers who assembled at Valparaiso, and armed, uniformed, and announced by all the newspapers, it permitted to go from that port for the coasts of Peru in the Dart; and in that the intendant of Valparaiso and the chief of police refused to detain the arms, clothing, munitions, and medicines of the expedition, on the verbal application of the vice-consul of her Majesty at that port.

6. In that it did not take the measures necessary to remove the fear diffused among the peaceful inhabitants of the republic by the anathema fulminated through the defamatory libel called San Martin, in the third number of the 7th September, in which it menaced with the popular anger every one who should supply the Spanish vessels or their agents with even a single pound of flour, a lump of coal, a drop of water, &c.

7. In that the Vencedova, having arrived at Lota, (doubtless because of the foregoing anathemas,) was treated as an enemy, coal, &c., was refused to her, and the maritime governor disregarded the protest of her commander; and in the government having issued the decree of the 30th September, approving the conduct of that functionary, instead of instituting the proper preparatory proceeding for investigating such an unusual transgression in order to proceed according to law.

8. In that the government declared coal to be contraband of war, with the object of prejudicing Spain and belligerents against this country and Peru, knowing it was not, and without considering that it put itself in contradiction to what the minister plenipotentiary from Peru said on the 4th July last.

9. That the government of the country knew that Spain was not in declared war with Peru, while it was evident that the French empire was with the republic of Mexico; that Spain, by the 10th article of her treaty with Chili, has the right to be treated as the most favored nation, by which it ought at least to enjoy for the supply of its squadron the same franchises as are conceded to the empire, and therefore it is that, as the slightest obstacle never was opposed to the empire supplying itself with coal, munitions, and provisions, directly, such was prohibited to Spain—the treaty was infringed.

10. In that, after the government had declared itself to be neutral between Spain and Peru, it permitted for account of the latter the purchase of horses, and their embarcation on three occasions at Valparaiso, notwithstanding they are declared contraband of war by the law of nations.

11. In that, notwithstanding my conclusive notes of 21st and 27th September, 6th October, and 7th and 15th December, the government did not take the measures which the law authorized it to do against the defamatory libel called San Martin, the most indecent which to this time has issued from the most degraded press.

The government of her Majesty, which holds as the rule of its conduct that every one jealous of his own honor should look to that of his allies as his own, will be willing to receive the solemn declarations which the case demands, provided they are compatible with its dignity.

I reiterate to your excellency the assurances of the distinguished consideration with which I am your obedient, faithful servant,

SALVADOR DE TAVIRA.

The Minister of Foreign Affairs of Chili.

[Translation.]

Department of Foreign Affairs for Chili,
Santiago, May 16, 1865.

Sir: I have had the honor to receive the note which, under date 13th of this month, you have been pleased to address to me, in order to place before me that the government of her Catholic Majesty believes that the government of the republic, in the course which it has observed since the 1st May of the year last past by reason of the Hispano-Peruvian question, has done a wrong to it; at the same time that international law and the treaty existing between the two countries is infringed. At the same time you signify to me that the government of her Catholic Majesty, which holds, as the rule of its conduct, that every government which is jealous of its honor should regard that of its allies as its own, will be disposed to receive the solemn declarations which the case demands, provided they are compatible with its dignity.

In the note referred to my government sees with regret that its frank and well meant policy during the bygone Hispano-Peruvian conflict has been appreciated in a manner little favorable to it, but is justly gratified in observing the enlightened spirit of conciliation which moves that of her Catholic Majesty to desire, as mine does, a solution friendly and satisfactory to Chile and Spain of the difficulties which at present paralyze their good un

derstanding. Although, in the correspondence which it fell to me to have the honor of maintaining with you through the course of the year last past are to be found expressed at large the causes to which pending difficulties owe their origin, as well as the legitimate motives which determined the action of my government in the complications between Spain and Peru, my government makes it a duty to enter into a fresh examination of the facts to which you call its attention.

I venture to hope that this fresh examination, inspired by the honor and dignity of the republic, will achieve the rectification of the opinion of your government in regard to the sentiments of mine, and will place in fair light that, far from purposing to fall short of the duties which, in regard to Spain, the law of nations and the treaty of recognition and friendship which it has concluded with it impose on it, the government of Chili has deplored, as you do, the unpleasant events which have occurred, and most especially the publication of the *San Martin*, and has known how to fulfil completely those duties under all circumstances, and despite the thousand impediments it has found in its way.

But it is necessary that the government of her Catholic Majesty should persuade itself that the anomalous mode employed for the occupation of the Chincha islands by the agents of Spain, and the strange principles proclaimed to that effect, were the cause of all that has occurred. In those proceedings, in the impressions which they produced on the country, and in the conjectures to which they gave place, you should seek the explanations of all the incidents. My government would also turn to make an investigation and analysis in detail of such irritating causes if it were not for the desire to keep at a distance occasions for recrimination of every nature, and if it were not its belief that every motive for complaint should disappear before the explanations, which I pass on to give to your excellency, with the frankness and loyalty never swerved from by the government of Chili.

To the incident which happened on the 1st of May of the year last past, in front of the residence of your legation, my government cannot suppose that you would attribute importance to it, except for the note addressed some days afterwards by you to this department. In view of that it hastened to collect the information requisite to an estimate of the nature and gravity of the case; and from this it appeared that the incident was owing to an inconsiderate outburst of the moment, by good fortune suppressed in the very act, and to an entirely accidental circumstance. The battalion of the national guard, which was present on that occasion, far from authorizing, or by its presence encouraging any offence to the flag of her Catholic Majesty, was the first to prevent or repress it. In fact, on the day cited, an assembly of the people was to gather in the municipal theatre; part of the crowd which was going to it passed inadvertently in front of the house occupied by your excellency, and in doing so some odious cries were heard. But those cries, called forth by the excitement produced by the recent accounts of the events at Chincha, and inevitable at every numerous assemblage in which excitable temperaments are never lacking, found no echo from the majority of the meeting, nor were they followed by any act derogatory to the flag of your legation. If any pretended to infer such, such were restrained from their punishable purpose by the assemblage itself, which thus gave unequivocal evidence of its discretion and good conduct. The assemblage made no delay in pursuing its course, pressed forward by the battalion of national guards present at the time, which, by marking time behind it, evidently intended to avoid any misbehavior which could have been intended against the flag of Spain, and to hinder the assemblage, by remaining there a length of time, from becoming changed into a tumultuous crowd. From what is here stated, it follows there was no reason for bringing to trial the chief of battalion referred to, whose conduct at that meeting was, on the contrary, worthy of eulogium, and that the flag of her Majesty received no insult. If such had been received my government would have been very severe in punishing the authors of so great disrespect, having regard as well not only to the dignity and privileges of a friendly nation, but also to the dignity of the republic. Happily it confides too much in the intelligence and good sense of the country it governs to fear that it can ever forget the inviolable respect due from every civilized people to the flag of friendly nations.

For the rest, sir, you are not ignorant of the measures which were taken, some days after this popular effervescence, that such scenes should not be repeated, and you can hoist your flag with the same security that you now do.

My government cannot discover in what the circular it addressed to the other governments of America, under date of 4th May last past, can be contrary to the stipulations of article 12 of the treaty in force between Chili and Spain. Neither could the treaty have deprived my government of the right to estimate acts which, like the occurrences at Chincha, had such immediate relation with the tranquillity, independence, and welfare of the republic, nor was it within the condition of the article alluded to. At that moment my government confined itself to examining and demonstrating the anomalous conduct of the agents of her Catholic Majesty, and to manifesting its confidence that the cabinet of Madrid would not place the seal of approval on such conduct. Inspired by a legitimate forecast, and by a sincere desire to maintain the good understanding between Chili and Spain, that circular met with the adhesion and sympathy of all the governments of America which have with her Catholic Majesty alliances more or less close, and was in part corroborated by the declarations of the cabinet of Madrid itself.

Your excellency knows very well that in Chili the periodical press is placed beyond the reach of any social influence, and enjoys very ample liberty for the utterance of its opinions. No less ample is the liberty which all citizens have to meet and discuss every matter having an interest more or less general. Public opinion, through the multiplicity of its means of expression, through the substantial guarantees which the political constitution and other laws of the republic hold out to it, and through the difficulty of condensing estimates and convictions into homogeneous order, would have evaded any efficacious corrective, even in case my government should have coincided in judgment with your excellency that it would have been salutary and proper to have imposed such.

My government is gratified to observe that you now agree with it in opinion that the best *corrective* of the errors of the press is to be found in the press itself; and, thanks to the explanation of your idea—perhaps not previously understood in its genuine and true meaning—in being able to rectify the construction which it attributed to you when you indicated the use of extraordinary measures to apply the due *corrective* to extravagancies of opinion.

When the Peruvian war steamer Lerzundi arrived at Valparaiso, Peru had not declared herself at open war, nor in actual hostility towards any nation; and if part of her territory was in the occupation of the Spanish squadron, she appeared to await the determination of the cabinet of Madrid about such occupation before taking measures to put an end to it by open force. Notwithstanding this, data in possession of my government warrant it in affirming that the Lerzundi did not ship at Valparaiso articles of war, except only the men necessary to make up her crew, and the provisions she had need of to return to her port of destination.

Nor is the conduct of my government less justified in respect to the expedition which left Valparaiso, bound for Callao, on board the Chilian schooner Dart. That expedition consisted of a certain number of volunteers who left the country with the purpose of passing over to Peru. In such purpose there was nothing illicit or punishable, since the form in which it was proposed to execute the purpose could not change the nature of its character. If these volunteers could have passed over to Peru, in exercise of a lawful right, in the line of steamers, what reason could there be that they might not do so in sailing vessels? But it is added that they carried arms and munitions on board the Dart, and entertained the project of attacking vessels of the squadron which occupied the Chincha islands. This circumstance might impress a different character on the expedition, and although nothing could be more unlikely or incredible than such a project, orders were, nevertheless, given to the authorities at Valparaiso to prevent the departure of the Dart, until it should be ascertained that neither arms nor articles of war were carried on board of her—orders which we duly and exactly complied with.

As to hindering the departure of the volunteers themselves, that could not have been done without infringing the laws of the republic, which permit all its inhabitants to leave the country at their pleasure, and without any restriction. With less reason could they have been subjected to the action of the courts on the mere rumors which the daily press put forth about the object of the voyage.

You think that my government ought to have taken "measures necessary to remove the fear diffused among the peaceful inhabitants of the republic," by a certain anathema fulminated through the paper called San Martin, against those who furnished supplies to the Spanish ships. The adoption of such measures would have assumed that some importance was attributed to, and some influence conceded in, the public opinion of the country, to the publications in a newspaper whose character very soon brought it into contempt in the eyes of the public. Little, therefore, could it influence the mind of any, or engage the attention of my government, by which the anathema in question was passed completely unnoticed.

To have regarded as you would have wished the protest of the commander of the Vencedora, the maritime sub-delegate at Lota would have had to compel by force the holders of coal to sell a quantity of the article. That would have been to violate the most valued guarantees which the laws of the republic secure to private interests and persons. If the holders of coal, yielding to the apprehensions and alarms which were everywhere caused by the occupation of Chincha, or for reasons of another sort, refused to supply a part of their merchandise to the Vencedora, the maritime sub-delegate could not avoid that by subjecting them to a forced sale.

There is less reason to infer here that this functionary was disposed to act hostilely towards the Vencedora, inasmuch as this vessel, while she remained at Lota, could freely repair damages, supply herself with provisions, and take in ballast. You can very well understand that had the sub-delegate of marine been disposed to be hostile, the schooner would not have had facilities for any of these operations. As little can it be concealed from your penetration that it would have been very easy for the owners of the coal, by placing an exorbitant value on the article, to elude any order of sale which they might have received from the maritime sub-delegate, who in such case would find himself compelled to submit to seeing his orders mocked, or to have recourse to deciding himself the price or sale value of the article, causing to the owners a compulsory transfer of property unjustifiable and illegal, and violating in their respect the guarantees which the constitution and the laws of the republic grant to persons, to property, and to industrial pursuits.

The religious respect which all its governments have always maintained in Chili for prop-

erty is one of the sanctions which do most honor to the republic, and should most commend it to the consideration of all civilized nations.

It was natural that the sub-delegate at Lota should give an account of his proceedings, and that on an affair of such gravity, foreign to his ordinary jurisdiction, and really unusual for him, he should desire to know the opinion of his government. The frank and explicit approval which it gave him, as it will always give when the conduct of its agents is adapted to the rules of the fundamental charters and the laws, cannot be ground of complaint on the part of Spain, which in any like case my government is pleased to think would have proceeded in identical manner.

The diverse aspects which, in its course, the Hispano-Peruvian conflict presented, imposed successively on my government a different attitude and placed it in a peculiar situation. Thus, while on the 4th of July, 1864, of the year last past, although it could not be considered that between Spain and Peru a state of war was actually existing, yet it was obliged to judge of things in a very different manner, on the 27th of September of the same year, when it issued a declaration about fossil coal. Then the government of her Catholic Majesty had already resolved to maintain the possession of Chincha, and for that purpose had sent to the Pacific considerable re-enforcements, while, on the other hand, Peru showed a disposition to regain by force the islands occupied. The indefinite and anomalous condition of former days had changed, through the acts mentioned, and the explicit and grave opinions of the Peruvian government, to a state of war or of actual hostility, which imposed on my government the duty to make on its part a formal declaration. With the resolution determined on my government proposed to itself not only to meet legally the duties of that neutrality in which the latest events had placed it, but also to place difficulties in the way of a war whose fatal consequences none of the belligerents would have been able to arrest.

On issuing that declaration, therefore, it did not fall into that contradiction that you point out, nor in putting it into practice did it show itself to be partial to either of the belligerents. If the ships of war of her Catholic Majesty could not supply themselves with coal at the Chilian ports, as little was it lawful to supply it to vessels of the Peruvian squadron.

For the rest, the right of my government to make the declaration we are treating of cannot be put in doubt. The law of nations does not settle anything binding as to what is the description of the character of stone coal. The divergence which exists on the subject reigns in the practice of the principal maritime powers, and in the doctrines of publicists leaves every country in position to choose in the manner it may judge most in conformity with equity and the general principles of knowledge. But you observe that the ships-of-war of the French nation continue to enjoy in the republic this franchise even after the declaration of the 27th September, and notwithstanding that empire is at open war with the republic of Mexico. If the case had occurred it would have been completely distinct. For many years back France maintains permanently a naval station in the Pacific, composed of a less or larger number of vessels, which are accustomed to take supplies, coal, and other provisions in the ports of Chili.

On the other hand, my government has never even been notified in an official or authentic manner that any of the ports of Mexico on the Pacific were blockaded by the French squadron on account of the war which raged there between the republicans and imperialists.

You find another cause of complaint against the republic for having permitted the purchase of horses in Chili for account of Peru, which, on three occasions, were shipped at Valparaiso. In this respect, I will remark that Peru has always been accustomed to buy in Chili the horses she has need of, not only for the service of the army, but also for the labors of husbandry and industrial works. If in war on land this article can be considered as contraband, there is no reason for so esteeming it in a maritime war, which is the only one that can be made by Spain.

On the other hand, the Peruvian government could not export from Valparaiso a quantity of gunpowder which it held in the care of a commercial house at that place, notwithstanding it was bought before the conflict in which, at a later day, it found itself involved. This case is sufficient to show the sincere loyalty with which my government has fulfilled its obligations as neutral.

Finally, you complain that the government of the republic had not taken the measures which the law authorized to punish the unworthy and base outrages which the periodical called San Martin directed against the person of her Catholic Majesty. The measures which in this case my government could take were narrowed down to accusing the periodical in question before a jury through the competent judicial functionary before your request. The resolution which should be adopted in this matter was of a nature so delicate and serious, that, although my government might well suppose what would be your will, it deemed it prudent to be informed of that in a manner decisive and express on its part, it would have deemed itself forgetful of the consideration due to the sovereign of a friendly nation by placing before a jury insults and affronts which needed not a condemnatory verdict to render them in the highest degree despicable and odious.

Avoiding such an irritating emergency, it considered that it should regard the honor and dignity of a friendly sovereign with the same solicitude as it would its own, which views it deemed to be connected with the severe attacks of which the members of the administration are repeatedly the object of the periodic press.

It always has held, and holds the impression, that it was not incumbent on it to determine the attitude which, in the presence of events, it might best become the government of her Catholic Majesty to assume. In this it is supported by the confidence it feels of having given proof of consideration and friendship in its testimonial of deference to your wishes in respect of this unpleasant incident.

In the re-examination I have made of the various incidents which has given matter for our past dissensions, I flatter myself that I have dissipated the causes of complaint set forth by you, and the doubts which might sustain her Catholic Majesty's government as to the real sentiments which animate the people and government of Chili in respect of Spain. The present explanations, which can only corroborate those which I have before given you, are a fresh testimonial of the constant yearning and efforts of my government for the maintenance of the relation of friendship with Spain, and for the removal of every obstacle which might obstruct the re-establishment of a cordial understanding between the two countries.

Be pleased to accept the reiterated expression of the distinguished consideration with which I am your very obedient, humble servant,

ALVARO COVARRUBIAS.

The MINISTER RESIDENT *of her Catholic Majesty.*

[Translation.]

LEGATION OF SPAIN TO CHILI,
Santiago de Chili, May 20, 1865.

YOUR EXCELLENCY—MY DEAR SIR: I have had the honor to receive your note, dated 16th of the present month, in reply to mine of the 13th of the same.

I have seen therein with great satisfaction that the same wishes animate your government as that of her Catholic Majesty, to arrive at a solution, satisfactory and honorable to both countries, of the difficulties which have bedimmed their good understanding.

The sentiments which have actuated your government amid the unpleasant events which have occurred, and the full explanations which you have pleased to give me on the eleven points on which Spain considered herself offended by Chili, dissipate, in my judgment, all the motives for complaint which my government entertained, and will contribute, as I hope, to draw closer together the relations between the two countries.

I shall make it my duty thus to advise the government of her Majesty in order that the sincere understanding which has always existed between Chili and Spain may not again suffer the least alteration. This has been, and will be, the constant aim of all my action.

I renew to you, sir, the assurance of the distinguished consideration with which I am your obedient, faithful servant,

SALVADOR DE TAVIRA.

His Excellency the MINISTER OF FOREIGN RELATIONS *of Chili.*

[Translation.]

DEPARTMENT OF FOREIGN RELATIONS OF CHILI,
Santiago, May 21, 1865.

SIR: I have the honor to communicate to you the receipt of the note which, under date of yesterday, you pleased to address to me, making known to me that the contents of my communication of the 16th instant dissipates, in your judgment, the motives for complaint which the government of her Catholic Majesty believed it had against the republic, and will aid in drawing more closely together the relations between the two countries.

Such result will correspond with the wishes of my government, which has been gratified to learn your opinion on the communication alluded to.

Please accept the testimony of the distinguished consideration with which I am your excellency's obedient and faithful servant,

ALVARO COVARRUBIAS.

The MINISTER RESIDENT *of her Catholic Majesty.*

Mr. Seward to Mr. Perry.

No. 107.] DEPARTMENT OF STATE,
Washington, August 22, 1865.

SIR: I had the honor on the 10th instant to receive your despatch of the 23d of July, No. 214, which gives me an account of the proceedings by which the Spanish government disavows and rejects the adjustment which had been made by its representative at Santiago of the controversy between Spain and Chili.

At a later day his excellency Mr. Tassara called at this department and read to me a despatch which had been addressed to him by his government, which confirmed in all respects the information which you have conveyed.

The President learns with regret that the efforts heretofore made for a reconciliation between the two friendly states concerned have failed, and that, consequently, an occurrence of hostilities, in form more or less modified, may be apprehended. I have sought an opportunity to confer on the subject with Mr. Asta Buruaga before replying to you, but have failed. At present I can think of no other way of securing the peace between Spain and Chili but by asking them, in the President's name, to consider whether, in the event of a failure of diplomatic effort to adjust the controversy, it may not properly be referred to the arbitrament of some friendly power. You are desired to make this suggestion to the Spanish government, and in doing so you are at liberty to say that, in the opinion of the United States, the interest of European states, as well as those of this continent, would be promoted by assuaging, and if possible removing, all existing controversies among the American States, and all controversies between them and those situated on the European continent. You are further at liberty to say that if the two nations immediately concerned should be able to come to an arrangement at once peaceful and mutually satisfactory, the United States would find in that arrangement fresh motives for cherishing the friendship which is cordially entertained by this country for each of the parties.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Perry to Mr. Seward.

No. 216.] LEGATION OF THE UNITED STATES TO SPAIN,
San Sebastian, August 29, 1865.

SIR: The newspaper press of Madrid made a good deal of noise over the failure of the Dominicans to fulfil some of their engagements with the Spanish generals and their declining to deliver the prisoners of war; inciting this government to renewed acts of hostility, and taking ground that by this conduct of the Dominicans all former laws or engagements for abandoning San Domingo were void and ought not to be regarded, but, on the contrary, a vigorous continuance of the war was now necessary to Spanish honor, and that this government must now take measures to make a permanent establishment in the island.

The partisans of O'Donnell, who had made speeches and cast votes in both houses of the Cortes this spring against the withdrawal of the Spanish troops from San Domingo, in opposition to Narvaez's wise policy, were supposed to be in honor bound to sustain their own doctrine, now that they were in power, and to retain possession of the island, or at least of that magnificent bay of Samana which the United States are so anxious to occupy, which is the key of the West Indian Spanish colonies, and which France and England were also preparing to seize.

I early became convinced, however, that the O'Donnell ministry were not overmuch rejoiced with this opportunity to put in practice what they had said in opposition to Narvaez in January last, and it was pretty soon settled that, come what might, the solemn renunciation of sovereignty in San Domingo which had been voted in the spring time would be sustained this summer.

It is not necessary for us to inquire whether the fall of Richmond may have had anything to do with this change of opinion in the original annexation party here, since the change is so evidently counselled by the true interests of Spain herself. That event, however, had intervened. The law renouncing Spanish

sovereignty in the island was recent and complete. Our protest against its assumption in 1861 I knew was still fresh in the memory of this government, and the present state of affairs in the interior of Spain and Cuba had come to give a force to the especial form of that protest which it perhaps did not possess when it was written.

I might have felt called upon under certain circumstances to renew it, subject to the President's approval; but as things were I preferred to wait, keeping a close watch upon the course of the affair here; and the prudence of this course was soon evident.

You will have received from Mr. Tassara a copy of the recent circular of Mr. Bermudez de Castro on this business, which clearly showed the wishes of this government. Immediately upon issuing this paper, the minister of state started from Madrid to join the prime minister and the court on this northern coast, and I came also. The news of the surrender of the Spanish prisoners by the Dominicans reached the government here, and is the source of unfeigned satisfaction.

In our conference of yesterday, Mr. Bermudez de Castro told me that he should now write a second circular, which will be immediately sent to Mr. Tassara, declaring that, the difficulty about exchange of prisoners having been settled with the Dominicans, Spain retires completely and definitively from that island.

Mr. Bermudez de Castro has been frank and explicit on this point, and it is with sincere pleasure I transmit to you this result of our conference yesterday, which you will soon have officially confirmed to you by Mr. Tassara at Washington.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Hale.

No. 2.] DEPARTMENT OF STATE,
Washington, September 11, 1865.

SIR: I transmit herewith a copy of a despatch of July 3, from the consul general of the United States at Havana, which is accompanied by a copy of a communication addressed to him by the secretary of the captain general of Cuba, relative to the attachment which the consul general had been instructed to ask might be laid upon the steamers Harriet Lane and Pelican, and upon other property at Havana, belonging to the late rebel government. In consequence of the refusal of the captain general to comply with the consul general's request, you are instructed to make the matter known to her Catholic Majesty's government, and to ask that an order may be issued for the delivery of the property in question, or that authority may be given for the institution of legal proceedings for its recovery.

You are also instructed to represent to the Spanish government that the terms employed by Mr. Puig in conveying the captain general's refusal are not quite courteous, and to express regret that anything should have occurred tending to impair in the slightest degree the good relations which it is so important should continue to exist between her Catholic Majesty's authorities in the island of Cuba and those of the United States.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN P. HALE, Esq., *&c., &c., Madrid.*

Mr. Savage to Mr. Seward.

No. 111.] CONSULATE GENERAL OF THE UNITED STATES,
Havana, July 3, 1865.

SIR: The captain general has declined to take action in the matter of the attachment asked for by me to be laid upon the steamers Harriet Lane, Pelican, and other property here belonging to the late rebel government. I had a long interview last Saturday with Mr. Vallo y Puig, the secretary, to whom I made known the necessity of prompt action to secure the property, as the parties controlling it were to leave this island within a very few days. He promised to attend to the business immediately, and the result is the letter dated 1st of July, received yesterday morning. Charles J. Helm, Ramsay, Scott, and other rebel agents, will probably take passage in the British mail steamer for St. Thomas on the 6th instant.

I have the honor to be, sir, with great respect, your obedient servant,

THOMAS SAVAGE,
Vice-Consul General.

Hon. WILLIAM H. SEWARD,
Secretary of State.

[Translation.]

SUPERIOR CIVIL GOVERNMENT OF THE EVER FAITHFUL ISLAND OF CUBA,
SECRETARY'S OFFICE, POLITICAL BUREAU,
Havana, July 1, 1865.

His excellency the governor captain general is informed of the contents of your communication, dated the 27th of June last past, in which you solicit, in the name of your nation, that a writ of attachment be issued upon certain funds which you say belong to the so-called confederate government, which funds, as you state, are in possession of its agents, Mr. Charles J. Helm and Ramsay. You likewise ask that the steamer Harriet Lane, *alias* Lavinia, and one-half of the steamer Pelican, and the part corresponding to the confederate government in the cargo of cotton of the last-named vessel, amounting, as you say, to the sum of 40,000 dollars, or thereabouts, be attached in the same manner. As you are not invested with any diplomatic character, it does not pertain to you to address, nor to his excellency the superior civil governor to receive, such notes. These questions have to be arranged between the two countries by duly authorized persons, and are resolved upon according to established usage by the law called international.

In consequence of what his excellency has directed me to answer, I have the honor to return the two original communications which accompanied your letter above mentioned.

God preserve you many years.

By order of his excellency the secretary.

JOSÉ VALLO Y PUIG.

The CONSUL GENERAL
Of the United States of America, at Havana.

Mr. Perry to Mr. Seward.

No. 218.] LEGATION OF THE UNITED STATES TO SPAIN,
San Sebastian, September 11, 1865.

SIR: Reserving the privilege to report by next steamer more in detail my proceedings under your instruction No. 107, of August 22, I have time only before this week's mail is made up to say that Mr. Bermudez de Castro is afraid that anything we can do here now will be too late, and that Admiral Pareja will have already commenced hostilities under his instructions unless Chili shall

have made such concessions as satisfied him. It is probable he would receive the instructions indicated to you in my No. 214, of July 23, on the 13th or 14th instant, and he would no doubt proceed to execute them without delay.

Nevertheless, as the first stage of the hostilities authorized was to be a blockade of the Chilian ports, to be followed at the expiration of one month (if Chili should not yield to his demands) by other acts of a more vigorous nature, I have obtained this, that Mr. Bermudez de Castro writes to Admiral Pareja immediately to suspend such further acts of hostility for two weeks longer, in the hope that your good offices near the Chilian government meantime may make their adoption unnecessary.

Spain is willing to abandon every point of her demands against Chili except one only: she insists that the Spanish flag shall be saluted. She feels that the Spanish flag has been insulted, and she cannot withdraw so long as Chili, by refusing to salute, maintains that insult. Should Chili now salute the Spanish flag, Spain will interpret that act of international courtesy as a disavowal of any intention to insult Spain in the acts complained of at Santiago, and will immediately salute the flag of Chili in her turn, in token of complete amity and good intelligence, and will thereupon withdraw her fleet, making no further mention of any other of her subjects of complaint. If, however, Chili should refuse that act of courtesy, Spain will interpret such refusal as the sign of a settled hostility of sentiment toward her on the part of Chili, and will thereupon proceed to vigorous acts of war, maintaining on her own side all those reclamations against Chili heretofore made, and such as may hereafter arise in consequence of the war itself.

I am given to understand that Admiral Pareja's orders are to make short work of it, and that the blow he will strike will be a heavy one.

I am, however, fully assured that not an inch of Chilian territory will be permanently occupied, nor any abasement of her complete sovereignty and independence be attempted in any case or form.

This being the precise state of the affair, may I hope that your good offices at the scene of operations can be rendered in time to prevent bloodshed, and prove sufficient to persuade Chili that in deference to the peace of the world, unless, indeed, it be her purpose to make war at any rate, she cannot refuse this act of courtesy, made necessary by the fact that Spain considers her flag to have been insulted.

It strikes me that the question is not so much whether the acts at Santiago, believed by Spain to have taken place in a certain way, and explained by Chili to have taken place in a different way, really did or did not constitute a national insult; but it is whether it be worth while for Chili to go to war upon a question of interpretation of certain doings of a crowd of people at Santiago not very clearly ascertained.

The great fact to be considered—and of this fact there can be no doubt—is, that Spain is really laboring under a sense of insult on the part of Chili, but she now waives all her former demands and consents to accept an act of international courtesy, customary in such cases, as a disavowal on the part of the Chilian government of all intention to insult the Spanish flag at Santiago or anywhere. And it seems to me, if there really has been no such intention, and if there be no disposition to maintain such an intention now, Chili, as a reasonable government, cannot refuse the exchange of salutes now proposed. Should this belief be shared by the President, I trust a prompt effort by the United States in Chili may yet be successful to prevent the war.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

No. 220.] LEGATION OF THE UNITED STATES,
Madrid, September 16, 1865.

SIR: I have again had a very satisfactory interview with Mr. Bermudez de Castro on the subject of Spanish relations with Chili to-day, at his department, and have obtained as a result the extension of the time mentioned in my despatch No 218, of 11th instant, written from San Sebastian. Mr. Bermudez de Castro trusts that the Chilian government will be persuaded to salute the Spanish flag, and promises that a salute shall be immediately returned by the Spanish fleet, and he will instantly commission a new minister to represent Spain at Santiago, withdrawing the Spanish forces from the Pacific. In the hope that the good offices of the United States will be exerted to convince Chili that it is her duty to accept these terms of arrangement under the circumstances, and they to preserve the peace which Spain is not desirous to break, Mr. Bermudez de Castro, at my personal instance and on my representations, writes again immediately to Admiral Pareja to prolong the period set for commencing active hostilities one month—that is to say, two weeks in addition to "the fifteen or twenty days" already ordered in accordance with our understanding at San Sebastian, as heretofore reported, that being the language of the instruction already sent to Admiral Pareja, and which I am informed by Mr. Bermudez de Castro will go out in the English mail-steamship to sail from Southampton to-morrow, 17th instant. I begged Mr. Bermudez to send the additional fifteen days to Southampton by telegraph for the same ship. The written instruction for the additional fifteen days will go out in the next succeeding steamer a fortnight later, and ought to arrive before the expiration of the "fifteen or twenty days" mentioned in the first. The chief thing to be apprehended is, that Admiral Pareja may have already commenced the active warlike operations contemplated in his original instructions before the first instruction for their suspension arrived. For this contingency there is no remedy here. Under the circumstances, I have not thought it proper to offer the mediation of the government of the United States in this affair. Your instruction of August 22 does not, in its terms, make it my duty to take that step, though I may assure you I would not have hesitated to take it under the general tenor of that despatch, if that measure had recommended itself to my own judgment as in any way necessary or useful to prevent the war now threatening between Spain and Chili, and if the nature of the war had threatened to be more directly interesting to the United States.

In the actual state of the business I have preferred to give my intervention a wholly informal character and have addressed nothing officially in writing to the Spanish government; but I am certain nothing more could have been done here than what has been done.

War may have already begun in the Pacific ocean, though I cherish the hope that, contemporaneously with your instructions to me, you will also have addressed others to our minister in Chili which will have enabled him to aid the contending parties to arrive at a satisfactory settlement.

If war has unfortunately begun, you are at least fully assured as to its character and object on the part of Spain, and these assurances may be relied on.

This government will not permanently occupy a foot of the soil of Chili, nor seek to set up any change in her government, nor to abase in any manner permanently the sovereignty and independence of Chili, nor of any other of the South American states. These assurances have been renewed to me to-day by Mr. Bermudez de Castro.

If war has not been declared, I trust that the delay now obtained, and the reduction of the Spanish pretensions to the terms of settlement I have had the

honor to report, will make it easy to procure from Chili, on her side, such concessions as will prevent the recurrence to hostilities.

And in thus reporting my action, under your instruction of August 22, I trust the course adopted will meet with the approval of the President.

With the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Perry to Mr. Seward.

[Extracts.]

No. 221.] LEGATION OF THE UNITED STATES,
Madrid, September 19, 1865.

SIR: Your instruction No. 107, of the 22d August, relative to the controversy between Spain and Chili, reached me at San Sebastian, where the Spanish court was temporarily residing, on the evening of the 7th instant.

I immediately sought an interview with Mr. Bermudez de Castro, and the next morning made this the subject of an informal conference at his residence at that city. I showed to Mr. Bermudez de Castro the motives for regret which the United States would experience if this affair should not be amicably settled, and made known your opinion as to all existing controversies between European and American states. Without repeating my own phrases, I will say that Mr. Bermudez concurred fully with the United States as to the nature of the relations proper to be maintained between the states of Europe and those of America.

Mr. Bermudez said, however, that Chili had wantonly insulted the Spanish flag, and Spain, with a powerful fleet in those seas, could not ignore those acts and withdraw, leaving things in that condition.

* * * * * * *

I asked him if Spain denied the war with Chili, or whether she only wished to obtain certain demands from Chili, and if so whether she would be satisfied to obtain what she asked by any other means than war.

Mr. Bermudez said that Spain did not desire war with Chili, nor with any of the states on the Pacific; had no ill will, no spite, no sentiment of any kind to gratify by war, and no ambitious projects; but she wished merely to secure for her flag that respect which he was confident the flags of other nations did receive from Chili, and without which the amicable relations between Spain and Chili could not be maintained.

He then went over the causes of complaint, saying, among other things, that the flag of the Spanish legation had been publicly and grossly insulted by a crowd of people at Santiago de Chili, in the presence of a battalion of militia in uniform, drawn up under their officers in the street opposite the legation, who witnessed the outrage and remained quietly marking time to music, without offering any opposition whatever.

I am without authentic information as to the facts of this case, except such as Mr. Bermudez has given me. He mentioned also the fitting out and departure of a body of volunteers from Chili to make war against Spain in Peru; also, the refusal of coals and provisions to the vessels-of-war of Spain in Chilian ports, under the pretence of neutrality, when in fact there was no war in which to be neutral. I then said I supposed there was no doubt that the sympathies of the people, and perhaps of the government of Chili, had been entirely on the side of Peru during the recent controversy between Spain and Peru, but I did not suppose Spain would think of calling any American people to account for

their sympathies against herself in the Peruvian affair, no more than she expected to be called to account for the sympathies of Spaniards against the government of the United States and in favor of our southern rebels in the recent civil war. He must indeed be aware, from the experience of this government itself, how different it was when such sympathies are strong in favor of one or the other contending parties to prevent their offensive manifestation, and how easy it is to make up a list of grievances if the party not favored should be disposed to take offence.

Our own relations with her Majesty's government were eminently friendly, but I could call to mind, if so disposed, (which I was not,) scenes and occurrences in Spain herself which would afford as good cause of complaint by the United States against Spain as any he thought it so necessary for Spain to resent in Chili, except, perhaps, the public insult to the Spanish flag at Santiago, if that had in fact occurred as stated. But the United States gave credit to the government of Spain for a desire to maintain friendly relations, and for honest efforts to prevent injustice being done to the government and people of the United States by all parties within the Spanish jurisdiction, and though the execution of this purpose had not always been perfect, and sometimes quite imperfect, yet the United States had not shown themselves disposed to take the government of Spain to task for things which were undoubtedly more or less beyond their control.

I could not suppose that the honor of Spain really required her to take any other attitude towards Chili, but, on the contrary, I did think that a policy of forbearance, even if there had been just cause of complaint, would be both more honorable and more profitable for Spain.

I hoped that Mr. Bermudez would not fall into the error of estimating the capacity of the American republics to withstand aggression by the number of their vessels, or their battalions, or the state of their finances.

Spain had herself just had the experience of San Domingo; France had found occupation for 50,000 men and a considerable fleet in Mexico, though the battalions of this republic were certainly not numerous, and those of San Domingo hardly merited the name.

Mr. Bermudez de Castro interrupted me to say yes, but that I was answering myself. In San Domingo Spain had attempted to take permanent possession of the country, and in Mexico the French had set up an emperor; but there was no such project in this case, and Spain would not be tempted into any such policy in the Pacific ocean. She would not be lured into another San Domingo affair anywhere, nor would she meddle with the form of any government nor with any insurrection. Spain did not wish to exercise any special influence even, in any of those countries. But the Queen's government did intend that the Spanish flag should be respected and the Spanish nation and subjects treated with the same courtesy which was due to the flag and subjects of all foreign nations, and which he believed was actually accorded in Chili to France, and England, and the United States, but which had been and still was denied to Spain. If Chili would not do that, Spain intended to punish her. Admiral Pareja was ordered not to make a long matter of it, but to first exhaust every effort to settle the controversy peaceably, and then, if that should be found impossible, to strike Chili hard, and chastise her till she should be willing to treat Spain as she treated other foreign nations.

I said that the United States did not call in question the perfect right of Spain to make war for such an object, but I did believe the object stated by Mr. Bermudez could be obtained without the war, and if it could, it certainly ought to be so obtained. I gave Chili the credit of being a reasonable government, and, though popular feeling had been much excited there in consequence of the proceedings of Spain in seizing the Chincha islands, which excitement was very natural and commendable under the circumstances, still, since that main contro-

versy had happily been settled with Peru without war, I hoped the smaller questions which grew out of it would be peaceably settled also. I could not suppose Chili desired anything else, and had no doubt the Chilian government would listen willingly to any representations which the United States might think proper to make at Santiago with a view to peace. I was convinced that Spain also ought to treat this question in a spirit of conciliation.

I did not mean to offer the mediation of the United States; certainly not then; but I did invite Mr. Bermudez de Castro informally to consider whether the United States might not be of some service to arrange this business.

Mr. Bermudez said he should be very glad if this affair could be settled without war, and he was confident the United States could do much to bring about such a result, but he was afraid we were altogether too late to take any efficient action. Before the result of anything we could do here would be known in Chili, Admiral Pareja would either have settled the business peaceably or commenced hostilities under his instructions (reported to you in No. 214 of July 23.) Mr. Bermudez supposed that he would get those instructions on the 12th or 13th instant, and that the admiral would lose no time in fulfilling them.

I remarked, however, that those instructions, as I understood, only authorized him to undertake at first a blockade of the Chilian ports, to be followed later by other acts of war, in case the blockade should not be found sufficient to procure a settlement.

Mr. Bermudez said that was so, and I then added that this might give time for the influence of the United States to be exerted at Santiago, if we should come promptly to an understanding here. Mr. Bermudez said that the Spanish opposition newspapers and political parties would immediately accuse the Queen's government of having yielded to the influence of the United States in a question of national honor, and they would also say that whatever was conceded by Chili had been yielded to the United States, but not to Spain.

I then told him I did not see the necessity of putting the friendly offices of the United States for the sake of peace into any diplomatic formula having a special name, nor of giving them any prominence which would afford ground for commentaries in the public press. I neither offered the mediation of the United States, nor would he either accept or decline such mediation. I would not formalize any offer of the good offices of the United States, but if Mr Bermudez would tell me what Spain was willing to concede for the sake of a peaceful settlement, and what she meant to insist upon at any cost, I should be able to form my own opinion as to the probability of a peaceful settlement, and whether the government at Washington would probably endeavor to persuade Chili to accede to such terms on the part of Spain.

Mr. Bermudez had no difficulty in telling me frankly what Spain would do, and proposed that I should put into writing the substance of what I wanted, and he would consider the matter and reply; if we should arrive at nothing definite, the notes on both sides should be withdrawn and destroyed.

I said that I thought we could better treat this subject entirely in verbal conference, and that if he wished to consult his colleagues in the government I would call on him again the next day. Meantime I had no objection to furnish him personally and confidentially with a memorandum of my instructions on this subject, which he might use as he saw fit under the proper reserve. I then took leave.

On the next day (9th instant) the court and ministers were occupied with the visit of the Emperor of France. I saw Mr. Bermudez a moment, and put into his hands a copy of your instructions (No. 107, of August 22) without address, date, or signature, and agreed that we should meet again the succeeding day at ten o'clock in the morning. On calling as arranged, I found Mr. Bermudez had been obliged to go to Biarritz, where the French court was residing, so that it was not until the morning of the 11th instant that our conference was re-

sumed. It will not be necessary to repeat the conversation at this interview. The result was, that the Spanish demands being reduced to the terms of settlement reported to you in my despatch, No. 218, of the same day, (September 11,) I, on my side, did not hesitate to say that I considered those terms reasonable, and I had little doubt they would be so considered by Mr. Seward and the President. Though I could not presume to anticipate the action of my government, nor had I any authority to promise anything, still I imagined that on the receipt of the despatch which I should immediately address to Mr. Seward, the President would not hesitate to instruct the American minister in Chili to use his influence to persuade that government to accept those terms of settlement on their side, and thus to close this controversy without bloodshed by the peaceful exchange of national salutes, as before reported. I begged Mr. Bermudez de Castro, therefore, to write immediately to Admiral Pareja to suspend hostilities for a time sufficient for my despatch to be received at Washington, and for the instructions which I hoped would be sent to Santiago to arrive and exert their influence.

He said that he could not countermand the instructions under which Admiral Pareja would probably be already acting. I said, no; but those hostilities which we supposed might have already begun before a new instruction to Admiral Pareja could reach him, would be limited at first to a blockade.

What I requested was that this preliminary state of blockade, if it existed, should be prolonged without any more active or vigorous act of war on the part of Spain until the result of the influence I hoped the minister of the United States at Santiago would exert could be known.

I did not promise anything, but I considered there was good ground to expect such action, and good reason to suppose that such counsel as the President of the United States might see fit to address to Chili would engage the serious attention of that government. At any rate, Spain would lose nothing in the estimation of the world by deferring the shedding of blood whilst there was a reasonable hope of a peaceful settlement.

The blockade was already a measure of vigor on the part of Spain, and its prolongation at my request was, under the circumstances, the least he could do as a mark of consideration to the United States, while it in no way prejudiced the question in debate with Chili, and might prove to be fruitful of excellent results.

Mr. Bermudez de Castro yielded to these considerations, and promised to write, as requested, to Admiral Pareja without loss of time. I then took leave, and immediately wrote the despatch No. 218, of 11th instant, communicating to you this result.

The Queen and ministers of war and of state left San Sebastian the same afternoon to visit the French court at Birraitz, and on the following day the court started on its progress back through the towns of old Castile, arriving at the royal residence of San Yldefonso on the 17th instant.

Thus I did not again see Mr Bermudez de Castro for business till the 16th instant, at his ministerial department in Madrid. This interview and its results, again prolonging the time for commencing active hostilities in the Pacific, was reported to you in despatch No. 219 of the same day, and I expressed at that time my conviction that nothing more could be done here than what had been done, and left all future steps in this business to the decision of your better judgment. But I may be permitted to state my own impressions.

Without going into the merits of this controversy, nor attempting to decide whether the acts of discourtesy in the streets of Santiago, complained of by Spain, constituted a national insult or not, I do think that since Spain believes that her flag was there wantonly insulted, that fact is itself sufficient reason why the government of Chili ought to be willing to show now, by an

act of courtesy customary in such cases, that no national insult was then intended or would be sustained now by that government; especially since what Spain proposes is an interchange of salutes, she herself saluting the flag of Chili as soon as the proof that her own is respected by Chili is received; and this impression, I confess, is strengthened by other considerations.

It is beyond question that the government and people of Chili did feel (as they had a perfect right to feel) great irritationagainst Spain and great sympathy with Peru during the recent controversy between these two powers. But the series of public acts complained of by Spain, (among which the refusal of the Chilian authorities to permit the customary hospitality to Spanish national vessels in their ports,) though called by Chili neutral acts, since Peru did not at any time recognize a state of war between herself and Spain, and finally settled her controversy without war, became and were simply unfriendly acts on the part of Chili towards Spain.

That is the true definition; and in making it I do not mean to criticise those acts of Chili, nor much less the very natural feelings which prompted them; but it is proper thus to recognize the precise state of the facts as between Chili and Spain at the moment when the controversy between Peru and Spain was at last happily settled without war.

Thus it was soon evident that a settlement must be made also between Chili and Spain.

But now that Spain, for the sake of peace, has retired from all points of her complaints and demands against Chili, save one; agreed to forego her claim for indemnity of her damages by the sudden refusal of coals and provisions to her ships, and to overlook other unfriendly acts by Chili, asking only an act of courtesy to the Spanish flag, to be replied to by a similar courtesy on her own part to the flag of Chili, I am of opinion that it would not be reasonable on the part of Chili to refuse such terms of settlement.

That government, however, is its own arbiter; and if it elects war under such circumstances, I trust at least that you will hold this legation free of all responsibility.

With sentiments of the highest respect, sir, your obedient servant,

HORATIO J. PERRY.

Hon. WILLIAM H. SEWARD,
Secretary of State, Washington.

Mr. Seward to Mr. Perry.

No. 109.] DEPARTMENT OF STATE,
Washington, September 20, 1865.

SIR: Your interesting despatch dated at San Sebastian on the 29th of last month has been received, and has been read with much satisfaction. We are content to believe that Spain, in retiring completely and definitively from the island of San Domingo, has been actuated by a just regard for her own best interests and those of the Dominican people.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Hale to Mr. Seward.

No. 3.] LEGATION OF THE UNITED STATES OF AMERICA,
September 21, 1865.

SIR: I have the honor to inform you that I arrived in this city yesterday. On the 13th instant I received a telegraphic communication from Mr. Perry,

informing me that the Queen was expected to reach this city on the 17th or 18th of the present month. I made immediate preparations to leave for Madrid, and left Paris on the 18th, and reached here the twentieth. On my arrival here I was met by Mr. Perry, who has done everything to make my arrival and stay here pleasant. The Queen has not yet arrived, but from some cause, I know not what, has determined not to return to Madrid for the present. She has established her court for the present at La Granja, at one of her palaces, about sixty miles from Madrid. Mr. Perry and myself called yesterday on Mr. Bermudez de Castro, minister of state, and I was introduced to him by Mr. Perry. He leaves to-day for La Granja, and will bear my request to the Queen for an audience, that I may present my credentials. As soon as that is arranged, and my presentation is over, I will write you again.

With much respect, yours,

JOHN P. HALE.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Hale to Mr. Seward.

No. 4.] LEGATION OF THE UNITED STATES,
La Granja, October 1, 1865.

SIR: In my last despatch, No. 3, I had the honor to inform you that the Queen of Spain was absent from Madrid, and was staying at her palace in this place, and that Mr. Bermudez de Castro, minister of state, had left Madrid and had borne to the Queen my request for an audience that I might present my credentials. In the course of a few days, viz., on the 24th of September, I received a note from him informing me that the Queen had been pleased to designate Saturday, the 30th of September last, as the day she would receive me at her palace in that place. In accordance with this arrangement, I left Madrid on the 29th of September, in company with Mr. Perry, our secretary of legation.

On Saturday, at three o'clock, by previous appointment, Mr. Perry and myself repaired to the palace, and I was introduced to the Queen, and presenting to her my letter of credence from the President, addressed her as per copy herewith enclosed, marked A, to which the Queen replied, as per copy herewith enclosed, marked B. As the Queen and Count will remain here for some few weeks at least, I propose to remain here for the present. I beg leave to add that I am under great obligations to Mr. Perry for his constant kindness in rendering me every assistance in his power.

With much respect, your obedient servant,

JOHN P. HALE.

Hon. WILLIAM H SEWARD,
Secretary of State.

A.

MADAM: In presenting this letter, certifying that I have been appointed envoy extraordinary and minister plenipotentiary of the United States of America, to reside at your Majesty's court, I am instructed to assure your Majesty of the sincere desire of the government and people of the United States to confirm, establish, and perpetuate those amicable relations which have so long and so happily subsisted between the two nations, and that I shall best discharge the duties devolved upon me by devoting all my energies to the attainment of so desirable an end; and if it may be permitted to so humble an individual as myself to mingle aught of a personal character with the high considerations which pertain to the progress and welfare of nations, I would add that it is peculiarly gratifying to me to have been selected as the representative of my government to the court of a power that was our early and constant

friend in our first great struggle for national existence, which relations thus auspiciously commenced have continued down to the present time through our last great struggle, fought for constitutional government against treason, anarchy, and rebellion.

Other nations have at times felt themselves compelled to resort to the arbitrament of war for the settlement of their international difficulties, but with Spain and the United States the requirements of reason, justice, and public law have been found sufficient for the peaceable adjustment of any questions which may have arisen between them.

In conclusion, permit me to express the hope that by a prompt and careful observance of every duty and courtesy which a great nation may expect from the representative of a friendly power, I may succeed in rendering myself so acceptable to your Majesty that I may in some humble degree be instrumental in promoting the peace, honor, and welfare of both nations.

I now place the letter of the President in your Majesty's hands, with the expression of sincere wishes for the continued health, happiness, and prosperity of your Majesty, and of all your royal family.

B.

MINISTERIAL DEPARTMENT OF STATE.

MR. MINISTER: I receive with satisfaction the letter which you have just delivered to me, in which the President of the United States of America informs me that he has appointed you his envoy extraordinary and minister plenipotentiary near my person.

I am truly grateful for the wishes of the American government and people to strengthen and perpetuate the bonds of friendship which have always existed between the two nations. These wishes are also mine; and when I consider that these relations of mutual good feeling and friendship are already as old as the existence of the republic, and that during this long period reason, justice, and right have proved sufficient to give a peaceful solution to all questions between the two nations, I cannot do less than cherish the pleasing hope that the two nations are destined by Providence to be perpetual friends and allies.

I beg you, Mr. Minister, to be the interpreter of these my sentiments to the President of the republic, assuring him with how great satisfaction I have seen the termination of the terrible struggle which the American people have sustained with glory, and how sincere is my desire that the peace now happily established may completely efface the footmarks of the past contest.

As to yourself, Mr. Minister, be assured that the choice which the President has made of your person to reside at my court is very pleasing to me.

The manifestations which you have made, and the expressions you have addressed to me, cause me to expect with confidence that during your mission, and with the loyal co-operation of my government, the ties of amity which unite the two peoples will, if possible, be still further strengthened.

Mr. Seward to Mr. Perry.

No. 111.] DEPARTMENT OF STATE,
Washington, October 2, 1865.

SIR: I have received your despatch of September 11, in which you report to me the decision which her Catholic Majesty's government has made to modify the terms heretofore proposed in its controversy with the government of Chili. I have conferred on the subject with Mr. Asta Buruaga, and he will write to his government, but I do not understand that he will be prepared to advise anything material to the situation.

The controversy between Spain and Chili seems to be capable of being reduced to a point of honor, and on such a question susceptibilities which must be respected render an apt friendly intervention difficult and ineffectual. Of course I could not undertake on behalf of this government to discuss so delicate a question, existing between equally friendly states. But I can say, I hope, without impropriety, to both of them, that the interest of each seems to us to require at this time, in an especial manner, peace and good foreign relations; that the feelings of the United States in the present juncture incline them to desire strongly an abatement of the evils of war and of faction in this hemisphere, and to contribute whatever may be in their power to the peaceful progress of Spain and

of Chili. I am fully prepared to say that in the judgment of the United States, and, as I believe, in the judgment of all nations, neither Spain nor Chili needs to make any new effort or incur any sacrifice to establish the highest possible character for chivalrous honor and dignity. Under these circumstances I cannot but believe that the two great people could adjust the existing difficulty by a diplomatic process to their mutual and common satisfaction.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

HORATIO J. PERRY, Esq., *&c., &c., Madrid.*

Mr. Seward to Mr. Hale.

No. 7.] DEPARTMENT OF STATE,
Washington, October 30, 1865.

SIR: Mr. Perry's despatch of September 19, No. 221, has been received.

His proceedings in regard to the misunderstanding which exists between Spain and Chili seem to me to have been altogether judicious and discreet, and they are approved. We are without any recent advices upon the subject from Chili. Our solicitude about the affair continues unabated, and our good offices to serve peace will not be remitted.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN P. HALE, Esq., *&c., &c., Madrid.*

Mr. Seward to Mr. Hale.

No. 8.] DEPARTMENT OF STATE,
Washington, November 4, 1865.

SIR: Your despatches Nos. 4 and 5, of October 1 and 10, respectively, and one of October 10, without number, have been received, and they will have due attention.

Your despatch of October 10, upon the subject of a postal convention between the United States and Spain, has been submitted to the Postmaster General for his consideration.

The subject of the Harriet Lane, Pelican, and other property, lately belonging to the so-called Confederate States, is under consideration here, and further instructions in regard to it will be sent to you. If Mr. Bermudez de Castro should make any reply to your note, a copy of which accompanied your No. 5, it is desired that you should delay a rejoinder until you shall have received those instructions.

I am, sir, your obedient servant,

WILLIAM H. SEWARD.

JOHN P. HALE, Esq., *&c., &c., Madrid.*

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, December 21, 1864.

The undersigned, Secretary of State of the United States, has the honor to submit, for the information of Mr. Tassara, the accompanying copy of a despatch to this department, of the 13th instant, from the United States consul at Hali-

fax, relative to a rebel organization for the purpose of seizing, plundering, and destroying American steamers and other vessels at different points on the Atlantic and Pacific coasts, and on the upper lakes. It is stated, as Mr. Tassara will perceive, that the base of operations and headquarters of these desperadoes will hereafter be at Havana.

The undersigned offers to Mr. Tassara renewed assurances of his very high consideration.

WILLIAM H. SEWARD.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., &c.*

Mr. Jackson to Mr. F. W. Seward.

No. 141.] CONSULATE OF THE U. S. OF AMERICA AT HALIFAX, N. S., *December* 13, 1864.

SIR: I have the honor to inform you that an organization of rebels has been formed, consisting of at least three hundred persons, for the purpose of seizing, plundering, destroying, and, where practicable, appropriating American steamers and other vessels at different points along the Atlantic and Pacific coasts, and on the upper lakes.

The main object of these pirates will be to seize vessels having large amounts of money on board.

This body of desperadoes will separate in smaller parties and operate at different points.

Their base of operations and headquarters will hereafter be at Havana, at which place they will be supplied with money and such arms and other means as may be necessary to facilitate their operations.

A portion of the company will probably remain at Havana; another portion will proceed from Havana to Vera Cruz, and another portion will go to California for the purpose of intercepting and seizing the Pacific mail steamers. Those steamers carrying the largest amounts of money will be the special objects of attack.

Several persons belonging to the organization have commissions from the rebel secretary of the navy.

Some of the partes connected with this piratical gang left here last week in the steamer Acadies, which sailed for Nassau and Havana, and which steamer, it is said, will proceed from Havana to Vera Cruz.

Lieutenant Braine, one of the piratical leaders, and who was connected with the seizure of the Chesapeake and Roanoke, and has a commission from the rebel government, was here two or three days ago in disguise, and left under an assumed name in a schooner for Nassau.

McDonald, who was connected with Braine in the seizure of the Chesapeake, is said to be in Canada in the vicinity of Detroit.

I have the honor to be, sir, your obedient servant,

M. M. JACKSON, *United States Consul.*

Hon. F. W. SEWARD,
Assistant Secretary of State,

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, December 22, 1864.

The undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, has had the honor to receive the note which, under date of

yesterday, the honorable Secretary of State has addressed to him, transmitting a copy of the despatch from the consul of the United States at Halifax about a plan for capturing merchant vessels of this country at different points on the Pacific coasts as well as on the lakes, whose base of operations, as well as principal centre, is supposed to be at Havana.

The undersigned will give an account of the matter, by the steamer of the day after to-morrow, to the captain general of Cuba; and the honorable Secretary of State may be assured that authority will take measures to ascertain the foundation of this plan, and that if in fact there be any, all the means in his reach will be employed to frustrate it, so far as the jurisdiction of Cuba reaches.

The undersigned avails of this occasion to reiterate to the honorable Secretary of State of the United States the assurances of his highest consideration.

GABRIEL G. TASSARA.

Hon. SECRETARY OF STATE *of the United States, &c., &c., &c.*

Mr. Tassara to Mr. Seward.

[Translation.—Extract.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, January 16, 1865.

The undersigned, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, has the honor to place in the hands of the honorable Secretary the copy of a communication, dated the 5th instant, which he has received from the captain general of Cuba, in answer to him about the business of the scheme, denounced through the consul of the United States at Halifax, for capturing vessels of this country at different points on the Atlantic and Pacific, to which the note of 21st December from your department refers.

As the honorable Secretary will see, at the moment when the communication from this legation was received at Cuba the captain general sent the secretary of that government to say to the consul of the United States that at any hour of the day or night he would find him ready to listen to any revelation he might have to make to him, continuing besides to make investigations, and seasonably communicating results. * * * *

The honorable Secretary of State may, therefore, rest assured that if, in fact, the existence of any similar scheme to that now mentioned should be ascertained, they, said authorities, will do all they should to frustrate it, so far as their jurisdiction reaches.

The undersigned avails of this occasion to reiterate to the honorable Secretary of State the assurances of his highest consideration.

GABRIEL G. TASSARA.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States, &c., &c., &c.

[Translation.—Extract.]

SUPERIOR CIVIL GOVERNMENT OF THE EVER FAITHFUL ISLAND OF CUBA.—POLITICAL BUREAU.

YOUR EXCELLENCY: I am informed by the letter from your excellency, No. 42, dated 25th December last, in reference to the existence of a plan supposed to be formed by confederate agents, which is denounced by the consul of the United States at Halifax, for the capture of merchant vessels of that nation, especially those which carry treasure.

Whenever the consul of that nation at this place has had recourse to my authority, that I might extend to him aid or protection, he has found me disposed to cause, as is the will of our government, the most strict neutrality to be respected. But by reason of the communication from your excellency, I directed the secretary of this superior political government to

have a personal interview with the consul of the United States, making known to him in my name that whenever he might have the slightest advices of any act which might be contemplated to contravene the neutrality mentioned, he should immediately advise me of it, although it should be in the hours dedicated to the repose of night, assured that the complaint would be always attended to—demonstrating to him by my arrangements the good faith which inspires our government in favor of our international relations. * * *

God and liberty. Habana, January 5, 1865.

DOMINGO DULCE.

His Excellency the MINISTER OF HER MAJESTY, *at Washington.*

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, January 20, 1865.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of Mr. Tassara's note of the 16th instant, and to express his satisfaction with the assurances given by Mr. Tassara, as well as by the captain general of Cuba, a copy of whose communication upon the subject accompanied the note of Mr. Tassara, that proper efforts will be made by her Catholic Majesty's authorities in the island of Cuba to frustrate, within their jurisdiction, insurgent schemes similar to that to which attention was called in the note addressed by the undersigned to Mr. Tassara on the 21st ultimo, having for their object the seizure, plunder, and destruction of American steamers and other vessels.

Accepting these gratifying declarations with the implicit confidence to which they are entitled, the undersigned avails himself of the occasion to offer to Mr. Tassara renewed assurances of his very high consideration.

WILLIAM H. SEWARD.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., Washington.*

Mr. Hunter to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, May 6, 1865.

The undersigned, Acting Secretary of State of the United States, has the honor to acknowledge the receipt of Mr. Tassara's note of the 3d instant, and to inform him, in reply, that copies of the resolutions of sympathy, which accompanied it, adopted at a meeting of the Spanish residents of New York, will, pursuant to the request of Mr. Tassara, be transmitted to the family of the late President and to the Secretary of State.

The undersigned offers to Mr. Tassara renewed assurances of his very high consideration.

W. HUNTER.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., Washington.*

Mr. Tassara to Mr. Hunter.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, May 10, 1865.

The undersigned, minister plenipotentiary of her Catholic Majesty, has received from the captain general of Cuba a communication, in which, referring to the horrible assassination of President Lincoln, and to the attempt committed

on the person of the honorable Secretary of State, Mr. William H. Seward, and Mr. Frederick W. Seward, he says to me what follows:

"I ask you to please express to Mr. Seward my sorrow, as governor of this island, and as an individual, for these calamities, and the vows I address to the Almighty for the prompt recovery of himself and son, informing him at the same time of the general indignation which has been caused by the outrage on the President of the republic and himself, and that I await with anxiety news of his recovery."

The undersigned has the honor to bring this to the knowledge of the honorable Secretary of State *ad interim*, asking that on his part he will please to inform Mr. Seward of it, with similar expressions on the part of the undersigned.

The undersigned avails of the occasion to reiterate to the honorable Acting Secretary of State the assurances of his highest consideration.

GABRIEL G. TASSARA.

Hon. W. HUNTER,
Acting Secretary of State of the United States.

Mr. Hunter to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, May 12, 1865.

The undersigned, Acting Secretary of State of the United States, has the honor to acknowlede the receipt of the note addressed to him by Mr. Tassara, minister plenipotentiary of her Catholic Majesty, on the 10th instant, transmitting an extract of a communication received by him from the captain general of Cuba relative to the sad occurences of the 14th ultimo.

The sympathy manifested by his excellency the captain general, as well as by Mr. Tassara, is fully and gratefully appreciated, and the undersigned has the honor to request Mr. Tassara to make this known to his excellency.

The undersigned offers to Mr. Tassara on this occasion renewed assurances of his highest consideration.

W. HUNTER.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., Washington.*

Mr. Hunter to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, May 17, 1865.

SIR: It is undersood by this department that the insurgent ram Stonewall, which was recently at the port of Nassau, started thence with the intention of proceeding to Havana, probably for the purpose of taking in further supplies in order that she might continue the prosecution of piratical ravages on the commerce of the United States. The President hopes, however, that his excellency the captain general of Cuba, in view of the recent sudden and great change of affairs in this country, by which insurgent resistance to the government of the United States may be considered as virtually at an end, may deem himself warranted in refusing to comply with any application on behalf of the Stonewall for that purpose. If, however, that functionary should pursue a different course owing to a failure to appreciate the change of circumstances in this country adverted to, or from any opinion that it would be necessary for him to await instructions from Madrid, such a decision would be much regretted by this government.

It is desirable that you should address his excellency the captain general of Cuba on this subject, and communicate to him a copy of the proclamation of the President of the United States on the 10th instant.

At the same time you may inform him that it is hoped that the high estimate which is entertained here of his prudence and justice will have no occasion to be abated by a continuance of hospitalities to insurgent cruisers in the ports of that island.

I avail myself of the occasion to offer to you renewed assurances of my highest consideration.

W. HUNTER, *Acting Secretary.*

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c. Washington.*

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, May 18, 1865.

The undersigned, minister plenipotentiary and envoy extraordinary of her Catholic Majesty, has had the honor to receive the note of yesterday, 17th, of the honorable Acting Secretary of State, upon the possible arrival of the Stonewall at the Havana, and on the conduct which the authorities at that place would observe toward her in consequence of the President's proclamation of the 9th instant.

According to the latest news the Stonewall had in fact arrived at Havana on the 11th instant. The undersigned nevertheless does not officially know the circumstances of her arrival; as little also he knows, except unofficially, of the President's proclamation to which the note refers.

However the matter may be, the change which in a brief time this country has experienced is, in effect, as notorious as the honorable Secretary of State asserts, and the supreme authority of Cuba, to whose wisdom and justice such worthy tribute is rendered on this occasion, will act certainly with the like wisdom and justice, as constantly has guided it in its conduct toward the United States.

It is nevertheless equally notorious that, by reason of the rapidity of the movement of events, the official and international position of the maritime powers of Europe towards this country has not experienced nor even could experience as yet the same variation, and the honorable Secretary of State admits this explicitly in presuming that in the present case the supreme authority in Cuba will not be able to set aside the instructions which it has, until it may receive other fresh ones from her Majesty's government.

In the situation, and whatever may be the conduct which in the circle of international principles may be observed in Cuba towards the Stonewall, the undersigned has the right to hope that the government of the United States will keep before it all the circumstances of the case, the honorable Secretary of State having cause to be well assured that the captain general of Cuba will not now falsify the favorable opinion he deserves, for the friendly disposition of which he has given proof in everything connected with the relations with this country.

The undersigned avails of this occasion to reiterate to the honorable Secretary of State the assurances of his highest consideration.

GABRIEL G. TASSARA.

Hon. SECRETARY OF STATE *of the United States.*

Mr. Hunter to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, May 21, 1865.

The undersigned, Acting Secretary of State of the United States, has received the note of Mr. Tassara, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, of the 18th instant, with reference to the insurgent ram Stonewall, which, pursuant to the latest intelligence, was harbored at Havana, in the island of Cuba.

While making due allowance for the consideration of the rapidity with which important events have succeeded each other, as Mr. Tassara has so judiciously remarked, adverse to the parties in whose behalf the Stonewall has gone forth to ravage the commerce of the United States, nevertheless the undersigned cannot refrain from expressing regret that her Catholic Majesty's government, after having, as is believed, as long ago as the 18th of April last, been made acquainted with the views of the government of the United States with reference to the shelter, repairs, and supplies which were furnished to that vessel at Ferrol, should not have appreciated the sensibility of this government enough to have taken measures towards thwarting her, at least, in seeking similar hospitality in other Spanish ports. If, as is believed, her Catholic Majesty's government was well informed of the course of events in this quarter, that information would, even while the Stonewall was at Ferrol, have not only justified, but, in the opinion of the undersigned, might have incited that government to give signal proof of the sincerity of its regard to the United States by requiring its authorities in other quarters to refuse to receive or to entertain that vessel. Contrary, however, to this just expectation, the Stonewall subsequently proceeded to Teneriffe, where also she was hospitably received, and afterwards went to Havana, her last known place of refuge.

Under these circumstances, and in view of the facts that the persons calling themselves president, vice-president, and president of the senate of the so-called Confederate States, are now held as prisoners by this government, and that thereby, in connexion with other recent well known occurrences, all pretence of belligerent rights has been swept away from the authority which they claim to represent, the undersigned is directed to announce to her Catholic Majesty's government, as well as to all other parties concerned, that if after this communication may be delivered, and shall have reached the government of Spain, or of any of her dependencies, the Stonewall or any other war vessel flaunting the flag of the insurgents of this country shall be received or allowed to remain in Spanish ports or waters, with the knowledge or consent of the authorities of those ports, henceforth no naval vessel of Spain will be received in any port of the United States, and this government will deem itself warranted in taking all the measures which the peace and safety of the United States demand, by ordering the destruction of the insurgent vessels aforesaid, as the nature of the occasion and its exigencies might require.

Always desiring to preserve peace with Spain, this government cannot but foresee that the toleration extended and conferred towards pirates may result in deplorable differences and collisions.

Mr. Tassara, however, as well as her Catholic Majesty's government, are requested to understand that the determination of this government now herein announced does not imply or import any hostility, or even any unfriendliness, towards Spain. On the contrary, the course which it is thus announced will hereafter be adopted and pursued in relation to Spain will also be adopted in regard to any maritime power that, under the circumstances indicated, shall at

any time hereafter afford shelter, harbor, or protection to piratical vessels engaged in destroying the commerce of the United States.

The undersigned avails himself of this occasion to offer to Mr. Tassara a renewed assurance of his very high consideration.

W. HUNTER.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., Washington, D. C.*

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, May 22, 1865.

The undersigned, minister plenipotentiary of her Catholic Majesty, has received the note which under this date has been addressed to him by the Department of State, on the arrival of the Stonewall at Havana, with the more astonishment, because the explanations which he had on the 17th instant with the honorable Secretary of State *ad interim* were of the most friendly nature.

Deferring to the care of her Majesty's government the answer to this note in general, the undersigned nevertheless believes himself to be authorized at once to take notice of the following paragraph:

"The undersigned (says the honorable Secretary of State *ad interim*) is directed to announce to her Catholic Majesty's government as well as to all other parties concerned, that if after this communication may be delivered, and shall have reached the government of Spain, or of any of her dependencies, the Stonewall or any other war vessel flaunting the flag of the insurgents in this country shall be received or allowed to remain in Spanish ports or waters, with the knowledge or consent of the authorities of those ports, thenceforth no naval vessel of Spain will be received in a port of the United States, and this government will deem itself warranted in taking all the measures which the peace and safety of the United States demand, by ordering the destruction of the insurgent vessels aforesaid, as the nature of the occasion and its exigencies might require."

To which the undersigned will reply:

1st. That in what relates to the dependencies of Spain, their authorities receive orders from the government of Spain, and not from this legation.

2d. That the pretension which is set forth in the note, that no vessel of the heretofore called Confederate States be received or permitted to remain in Spanish ports is in flagrant contradiction of the tenor of the anterior notes of 17th instant, from the honorable Secretary of State *ad interim* himself, in the last paragraph of which he says to the undersigned what follows:

"You may inform him (the captain general) that it is hoped the high estimate which is entertained here of his prudence and justice will have no occasion to be abated by a continuance of hospitality to insurgent cruisers in the ports of that island."

3d. In fine, that although the right of the United States to follow and destroy insurgent vessels is notorious, it is no less so that the right can only be exercised within the limitations of maritime and international law.

The undersigned avails of this occasion to reiterate to the honorable Secretary of State *ad interim* the assurance of his highest consideration.

GABRIEL G. TASSARA.

Hon. SECRETARY OF STATE *of the United States, &c., &c., &c.*

Mr. Hunter to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, May 29, 1865.

The undersigned, Acting Secretary of State, has the honor to acknowledge the receipt of Mr. Tassara's note of the 22d instant, relative to the arrival at Havana of the insurgent ram Stonewall; and to offer to him on this occasion renewed assurances of his very high consideration.

W. HUNTER.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., Washington.*

Mr. Tassara to Mr. Hunter.

[Translation.]

LEGATION OF SPAIN TO THE UNITED STATES,
New York, June 2, 1865.

The undersigned, minister plenipotentiary of her Catholic Majesty, has received at New York, where he is for the time being, the note which, on the 30th May, the honorable Acting Secretary of State pleased to address to him, claiming the Stonewall, whose rendition, in effect, has been officially communicated to him by the captain general of Cuba, and will transmit said note to his government, that it may determine on the affair.

The undersigned offers on the occasion to the honorable Acting Secretary of State reiterated assurances of his highest consideration.

GABRIEL G. TASSARA.

Hon. W. HUNTER,
Acting Secretary of State, &c., &c., &c.

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN IN WASHINGTON,
Washington, July 14, 1865.

The undersigned, minister plenipotentiary of her Catholic Majesty, has the honor to bring to the knowledge of the honorable the Secretary of State that, agreeably to official communications which he has received from Madrid, the order has been given to the captain general of Cuba to deliver the war vessel Stonewall to the person whom the government of the United States may commission for that purpose, the due formalities intervening.

In this action the government of her Majesty judges that the reasons adduced in the note of the 30th of May last, from your department, are not sufficient to found the right of re-vindication which that of the United States believes it has over the forementioned vessel. Animated, nevertheless, by the same noble and loyal sentiments which it has shown during the four years of the war, happily terminated in this country, it omits entering into a discussion without object, and the Stonewall is placed at the disposal of the government of the United States.

With reference to the security for the expenses to the commander of the Stonewall of sixteen thousand hard dollars, which sum, having been considered as the sole and special cause of the surrender of the vessel, it is to be believed that the government of the United States will not refuse to reimburse it, it be-

ing understood, nevertheless, that this is not a condition for the delivery of the Stonewall, which delivery is, and must be considered, absolutely unconditional.

The undersigned avails himself of this occasion to reiterate to the honorable Secretary of State the assurance of his highest consideration.

GABRIEL G. TASSARA.

The Hon. SECRETATY OF STATE
of the United States, &c., &c., &c.

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, July 17, 1865.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of a note which was addressed to him on the 14th instant by Mr. Tassara, minister plenipotentiary of the Queen of Spain. In that note Mr. Tassara informed the undersigned that her Catholic Majesty has ordered that the armed steam vessel called the Stonewall, which has been the subject of previous correspondence between the two countries, shall be delivered up to the government of the United States, and that this decision has been made with a waiver of discussion upon the question whether the demand of the United States could be maintained upon strict principles of international law. Mr. Tassara has been pleased, also, to assure the undersigned that the surrender has been ordered on the ground of the mutual good will which has happily prevailed between the two countries during the period of the insurrection which has heretofore so greatly disturbed the relations of the United States with many of the foreign powers. The undersigned is still further informed that while Spain will receive from the United States, as they have heretofore offered to pay, an indemnity of sixteen thousand dollars, the amount of the expenses which the captain general of Cuba incurred in obtaining possession of the Stonewall, yet that the surrender is tendered without making it dependent upon such reimbursement as a condition.

Mr. Tassara's communication has been submitted to the President of the United States, and the undersigned has now the pleasure to inform Mr. Tassara that orders will be promptly given for the bringing away of the Stonewall from Havana, and for the reimbursement of the sum of sixteen thousand dollars to the Spanish government. It only remains to be added that this government appreciates equally the promptness, the liberality, and the courtesy which have marked the proceedings of her Catholic Majesty's government on this interesting subject, and that these proceedings will have a strong tendency to confirm and perpetuate the ancient and traditional friendship of the two nations.

The undersigned avails himself of this occasion to offer Mr. Tassara renewed assurances of his highest consideration.

WILLIAM H. SEWARD.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., Washington.*

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, July 22, 1865.

SIR: Referring to your note of the 14th instant, announcing that orders have been given by her Catholic Majesty's government for the delivery of the insurgent ram Stonewall to the United States, I have the honor to transmit herewith

a copy of a letter upon the subject, which has been addressed to this department by the Secretary of the Navy, to whom a transcript of your note was submitted by me.

It is hoped that it may be found convenient to comply with the request of the Secretary of the Navy for the retention of the ram at Havana until the ensuing autumn.

I am, sir, with high consideration, your obedient servant,

WILLIAM H. SEWARD.

Señor Don GABRIEL GARCIA Y TASSARA *&c., &c., Washington.*

NAVY DEPARTMENT,
Washington, July 20, 1865.

SIR: I have the honor to acknowledge the receipt of your letter of the 18th instant, enclosing a copy of a note addressed to you on the 14th instant by Mr. Tassara, the Spanish minister, announcing that orders have been given by his government for the delivery of the insurgent ram Stonewall to the United States.

Owing to the prevalence of yellow fever at Havana, it would seem injudicious to remove the Stonewall at this time and bring her to a port of the United States. I have therefore to suggest that a request be made for the retention of the ram at Havana until fall, if it can be conveniently done, when she will be sent for and brought to a northern port. If her retention would not be convenient, the department is ready to despatch a vessel for her immediately.

Very respectfully, &c.,

GIDEON WELLES, *Secretary of the Navy.*

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, August 11, 1865.

The undersigned, minister plenipotentiary of her Catholic Majesty, has the honor to state to the honorable Secretary of State of the United States that, according to a communication he has received from the captain general of Cuba, there is no inconvenience on his part to the Stonewall remaining at Havana till the approaching autumn, continuing at the arsenal, as the honorable Secretary desired by his note of 22d July last past.

The undersigned avails of this occasion to reiterate to the honorable Secretary of State the assurance of his highest consideration.

GABRIEL G. TASSARA.

Hon. SECRETARY OF STATE *of the United States, &c., &c., &c.*

Mr. Hunter to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, October 4, 1865.

The undersigned, Acting Secretary of State of the United States, has the honor to acknowledge the receipt of the note of Mr. Tassara, of the 26th ultimo, relating to the late insurgent ram Stonewall, at Havana, and to state, in reply, that the facts communicated therein have been made known to the Secretary of the Navy.

The undersigned offers to Mr. Tassara assurances of his highest consideration.

W. HUNTER.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., Washington.*

Mr. Hunter to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, October 5, 1865.

The undersigned, Acting Secretary of State of the United States, has the honor to communicate to Mr. Tassara, her Catholic Majesty's envoy extraordinary and minister plenipotentiary, the accompanying copy of a letter of yesterday's date from the Secretary of the Navy, announcing his purpose to despatch a steamer to Havana, about the 20th of this month, to bring the Stonewall to the United States. He also suggests an inquiry relative to the surrendering of the Harriet Lane, a vessel belonging to this government, which had been seized and held by the insurgents, or other property recently in possession of the rebel government, that may be in the waters of Cuba. The undersigned has the honor to request Mr. Tassara to call the attention of his excellency the captain general of Cuba to the inquiry of the Secretary of the Navy.

The undersigned offers to Mr. Tassara assurances of his highest consideration.

W. HUNTER.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., Washington.*

Mr. Welles to Mr. Seward.

NAVY DEPARTMENT,
Washington, October 4, 1865.

SIR: I have the honor to inform you that it is proposed by this department to despatch a steamer to Havana, about the 20th of this month, for the purpose of bringing the Stonewall to the United States. In informing you of this purpose, I take occasion to suggest that an inquiry be made of the Spanish minister at Washington, whether the Harriet Lane, a vessel belonging to this government, which had been seized and held by the rebels, or other property recently in the possession of the rebel government, that may be in the waters of Cuba, will be surrendered to the United States at the same time. If so, arrangements can be made for the removal of the same to some one of our own ports. The Harriet Lane you will remember as a vessel belonging to the United States navy and captured by the insurgents at Galveston, Texas.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

Hon. WILLIAM H. SEWARD,
Secretary of State.

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, October 7, 1865.

The undersigned, minister plenipotentiary of her Catholic Majesty, has had the honor to receive the note of the 5th from the honorable Secretary of State *ad interim*, with copy of a communication of the 4th from the honorable Secretary of the Navy, announcing that about the 20th of this month a United States steamer will proceed to Havana to take charge of the Stonewall, and inquiring from the undersigned "whether the Harriet Lane, a vessel belonging to this government, which the rebels had taken and kept in their power, or any other property until very lately in possession of the rebel government, which might happen to be in the waters of Cuba, will be delivered at the same time to the United States."

As for the Stonewall, considering the satisfactory correspondence which has passed on the subject, and the points agreed upon between the two governments, the commissioner of the United States has nothing to do but to present himself at the Havana, and the Stonewall will be delivered to him by the authorities.

However, as to what affects the Harriet Lane, or any other vessel or property of like origin, which through any event may now be found in the waters of Cuba, the undersigned not only cannot answer that it may also be delivered, but that, such as the case appears, he does not comprehend what kind of jurisdiction the authorities of Cuba could have to do thus. Whatever may be the origin of said vessel or property, and whatever the understanding under which they are in the waters of Cuba, the questions which may now be raised about them must belong to the jurisdiction of the courts. To them the government of the United States can have recourse, assured that in those of Cuba justice will be done.

The undersigned regrets the more that he cannot give other answers, because the more manifest has been the good will of the Spanish government in the affair of the Stonewall, in renouncing at once every question, and thus giving a proof of its friendship for that of the United States.

What is allowed to the undersigned to do is to remit the matter to the captain general of Cuba, that he may examine the important points, reserving, in the last case, any solution to her Majesty's government.

The undersigned avails of this occasion to reiterate to the honorable Secretary of State of the United States the assurances of his highest consideration.

GABRIEL G. TASSARA.

Hon. WILLIAM H. SEWARD,
Secretary of State of the United States, &c., &c., &c.

Mr. Hunter to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, October 21, 1865.

SIR: I have the honor to communicate a copy of a letter of this date, addressed to this department by the Secretary of the Navy, on the subject of the insurgent ram Stonewall, which is now at Havana in the custody of her Catholic Majesty's authorities, for delivery to the proper officer of this government.

It appears that the United States steamers Rhode Island and Hornet, the former under command of Alexander Murray, will leave here on Monday next for the purpose of receiving the Stonewall. Any communication which you may have occasion to address to the captain general of Cuba on the subject will be borne by Commander Murray, as indicated by Mr. Welles.

I am, sir, with high consideration, your obedient servant,

W. HUNTER, *Acting Secretary.*

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., Washington.*

Mr. Welles to Mr. Hunter.

NAVY DEPARTMENT, *October* 21, 1865.

SIR: Referring to the subject of the surrender of the ram Stonewall to the United States, I have the honor to inform you that the United States steamer Rhode Island, accompanied by the United States steamer Hornet, will sail from Washington on Monday next for Havana for the purpose of bringing the Stonewall to Washington.

Commander Alexander Murray, commanding the Rhode Island, is charged with the duty of receiving the Stonewall from the Spanish government, and has been authorized and directed to reimburse all reasonable expenses that have been incurred by the Spanish authorities in

connexion with the surrender and custody of that vessel, among them the item of sixteen thousand dollars referred to in the note of Mr. Tassara addressed to the Secretary of State on the 14th of July last, and communicated to this department.

As you may wish to communicate with the minister of Spain, or with the consul general of the United States at Havana, with regard to the delivery and reception of the Stonewall, I advise you of the proposed departure of the Rhode Island, by which vessel any communication that you or the Spanish minister may have to send to Havana can be transmitted.

Commander Murray's orders have reference to the reception of the Stonewall only; and if any additional instruction from you to the consul general, or from the Spanish ministers to the authorities at Havana, is necessary to insure the delivery to Commander Murray of the Stonewall, it should be sent to the department in season to be forwarded by the Rhode Island on Monday next.

Very respectfully, &c.,

GIDEON WELLES,
Secretary of the Navy.

Hon. WILLIAM HUNTER,
Acting Secretary of State.

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, October 21, 1865.

The undersigned, minister plenipotentiary of her Catholic Majesty, has the honor to receive the note of this date from the department, informing him that the United States steamer Rhode Island and Hornet are about to depart next Monday from this port to go to Havana, to take charge of the Stonewall, whose surrender was made to the Spanish authorities, and which the government of her Majesty has agreed to deliver to the United States, and that Commander Alexander Murray will be the bearer of any communication which I may think proper to address to the captain general on the subject.

Annexed the honorable Secretary of State will find a despatch for the authorities of the island, giving him knowledge of the commission with which these vessels go charged, and introducing their commander.

The undersigned avails of the occasion to reiterate to the honorable Secretary of State of the United States the assurance of his highest consideration.

GABRIEL G. TASSARA.

Hon. SECRETARY OF STATE *of the United States.*

Mr. Tassara to Mr. Seward.

LEGATION OF SPAIN AT WASHINGTON,
Washington, November 3, 1865.

The undersigned, minister plenipotentiary of her Catholic Majesty, has the honor of informing the honorable Secretary of State that the captain general of Cuba received his note of the 5th of October, from the department, announcing the intention of sending a United States vessel to Havana to take charge of the Stonewall, and alluding also to another vessel, the Harriet Lane, previously seized by the rebels of this country and said now to be in Cuban waters.

In regard to the Stonewall, the captain general of Cuba answers on the 21st that, according to orders from the government of her Majesty, it would be delivered to any one presenting himself with proper authority, which most likely was done when Commander Murray appeared at Havana with the Rhode Island.

As to the Harriet Lane, the captain general says he does not know and he believes it is not his duty to inquire where she is, or how she was taken, nor whether she was sold by her captors or exists yet under another name, referring, on this point, to her Majesty's government.

The captain general furthermore observes, that in treating of an act which occurred, in any case, during the war with the south, and which, of course, comes under the head of neutrality, any question that may arise about the Harriet Lane, through private negotiations since her capture, must be decided by a civil tribunal, and any one whom the government of the United States may empower to bring suit in our courts will be properly received; and the honorable Secretary of State may rest assured that the said attorney will have all necessary aid from the supreme authorities in Cuba, and that a faithful and impartial decision will be rendered by the court.

The captain general adds that this reclamation, as well as that relating to other property and goods of the same origin, referred to in the note of the 5th, may have no other foundation than various other reports of the acting consul general of the United States, Mr. Savage—reports of no better foundation than that of the vessel Maria Agnes, represented to have on board a cargo of confederate arms, which goes to show how hastily certain falsehoods are disseminated.

Finally, the captain general insists that, if the government of the United States thinks there is a good reason for it, an attorney be appointed to bring suits in the Cuban courts; and he will afford all possible facilities, as he has always done, to every application of the honorable Secretary of State.

The undersigned embraces this occasion to repeat to the honorable Secretary of State the assurances of his distinguished consideration.

GABRIEL G. TASSARA.

Hon. SECRETARY OF STATE *of the United States, &c., &c., &c.*

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, November 7, 1865.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of the note of Mr. Tassara, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, upon the subject of the steamship Harriet Lane, now lying in the port of Havana.

In reply, the undersigned has the honor to inform Mr. Tassara that the matter will receive due attention, and that the consul general of the United States there has been empowered to set on foot proceedings, on behalf of this government, against the vessel in question in the courts of Cuba.

The power is herewith enclosed, and the undersigned will thank Mr. Tassara to attest the same and return it to this department.

The undersigned avails himself of this occasion to offer to Mr. Tassara a renewed assurance of his very high consideration.

WILLIAM H. SEWARD.

Señor Don GABRIEL GARCIA Y TASSARA, *&c., &c., Washington.*

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, November 15, 1865.

The undersigned, minister plenipotentiary of her Catholic Majesty, has the honor of informing the honorable Secretary of State of the United States that he has received despatches from the commanding general of the Spanish squadron in the Pacific, General Pareja, according to which, in consequence of the declara-

tion of war against Spain by the government of Chili, the said General Pareja, acting from instructions, had declared the ports of that republic blockaded from the 24th of September.

The undersigned, judging that the United States will remain neutral, hopes the honorable Secretary, on his part, will make the proper declarations, and give suitable orders to his authorities, to prevent the issue of letters of marque and reprisal, or the arming of cruisers in any port of the United States, or the embarcation of articles contraband of war, or the commission against Spain of any other act considered by the common law of nations as contrary to neutrality.

Enclosed the honorable Secretary will find a copy of the instructions given for the blockade.

The undersigned takes this new occasion of offering to the honorable Secretary of State of the United States the assurances of his distinguished consideration.

GABRIEL G. TASSARA.

Hon. SECRETARY OF STATE *of the United States, &c., &c., &c.*

[Translation.]

HEADQUARTERS OF THE PACIFIC SQUADRON.

Instructions which the general commanding the squadron issues to be strictly observed by the commanders of the vessels which compose it.

The republic of Chili being declared in a state of war with Spain, is completely responsible for the consequences which may grow out of this state of things. For such reason, and that your action with the vessel under your command may be best adapted for hostilities against Chili, and at the same time avoiding any injury to neutral nations who carry on trade with that republic, I pass on to lay down for you the rules which must be observed, and are most adequate for attaining both objects:

1. After this date you are authorized to chase and capture any vessel of the Chilian republic, whether of war, privateer, or trade; whether at sea or in any port of said republic.

2. In the same manner you are authorized to take possession of the cargoes on board of Chilian merchant vessels whenever those cargoes do not belong to a neutral. But you may make prize of those cargoes, although they may be neutral property if composed of articles contraband of war; and of others which are not so, you will only make prize of that illegal portion of the cargo, leaving the other at liberty, although it may belong to the same owner with the illegal portion.

3. You are also authorized to detain and take any neutral vessel which may carry, intended for the enemy, or belonging to the enemy, official despatches, land or naval forces, or equipage for the vessels of such enemy.

4. You are also authorized to make prize of every cargo which may be found on board a neutral vessel, and be composed of articles contraband of war, it being understood that the vessel goes free after being lightened of the unlawful cargo. If part of the cargo should be of lawful trade that part will remain free, although it may belong to a citizen or citizens of Chili, because a free vessel also makes free the lawful merchandise.

5. You are also authorized to capture those vessels whose neutrality may not appear to be established by the proper documents.

6. You may detain every neutral vessel which, by the construction of her hull, by her distributions, or by other circumstances of special nature, leave no doubt of her having been constructed for warfare, although she may appear as a trader and her cargo be not contraband of war, because it may happen that such vessel may have been built by private enterprise for the enemy, or been despatched from a neutral port in order to be sold to the enemy, because in both cases such vessel must be classified as contraband of war, as undoubtedly an instrument therefor.

7. Those vessels are to be considered as suspicious, and will be subject to search, which carry double sets, or, apparently, false papers. Those which may be without the papers called for by the regulations of the country of their neutrality, and those which do not heave to when notified to do so by any vessel of the squadron maintaining the blockade, as also those which obstruct search of such parts of the vessel in which it is suspected there may be contraband of war, these suspected vessels shall be treated as hostile unless they in some way succeed in removing the suspicions which may fall upon them. You will take good heed that the examination of ships' papers is of the greatest importance, because these papers must be the basis in which to establish the validity or invalidity of the capture.

8. Neutral merchant vessels sailing under convoy of a vessel or vessels of war that are neutral may not be visited, the written declaration of the commander of the convoy being sufficient to show that they do not belong to the enemy, nor carry contraband of war. If,

notwithstanding this declaration, you should believe that the good faith of that officer may have been deceived you will make it known to him, that he alone may examine the vessel or vessels on which suspicion falls.

9. In case of meeting any cruiser under the Chilian flag you will capture her and treat her as any other trading hostile ship, unless, on examination of the papers, it appear that she has not the requisites for acting as a cruiser, because, in that case, she must be considered a pirate. Those documents must be, first, a commission to cruise issued in her favor by the government of her country, in which are to be set forth the time and localities in which she may act hostilely to the enemy; second, all the corroborating circumstances necessary to demonstrate the nationality, the vessel being, besides, manned in the greatest part by subjects of the nation to which she belongs.

10. You will not obstruct the coast fisheries of the enemy, even within the territorial waters—that is to say, to the limits of the longest reach of artillery of the squadron, discharged at low-water line from the edge of the shore. But you will take care this concession does not give origin to abuses which may prejudice the blockade or operations that may be undertaken.

11. That a blockade may be effective, and consequently be respected, it is indispensable that it be sustained by sufficient forces to make it highly dangerous to enter the port or ports where it is maintained.

The sole legitimate exception to this rule is that which admits as cause for absence, accidental and temporary, of blockading vessels, arising from severe weather; consequently any attempt to run the blockade, by availing of the accidental withdrawal of the vessel maintaining it, must be held fraudulent. Hence the absolute necessity that the vessel under your command be kept in position adequate to secure effectiveness to the blockade it maintains, always excepting real greater force which prevents, because it must be kept in mind that violations of blockade are lawful the moment its effectiveness ceases.

12. Violation of the blockade is constituted by the attempt to enter or leave a blockaded port; but the latter may be done—that is to say, the departure by any neutral vessel in ballast, or with a cargo shipped before the blockade began, or with the term established by the general of this squadron; consequently you cannot capture neutral vessels which come under these conditions.

13. The neutral vessel which makes for a blockaded port is not obliged to know that such blockade exists until after she has been notified of it, and this notification must appear indorsed on her crew list or on some other of the papers the vessel should carry. Therefore when a vessel approaches the port you are blockading without knowledge thereof, you will take care that the officer who may visit her mark the notice on her crew list, leaving the vessel to steer after that to the port that may suit her, but not to that blockaded or any other of those in Chili.

The captain of the vessel which is notified of the blockade will give a receipt of the notification, and in it must be started the day, place, and situation astronomically on which it is done.

The vessel to which the notification of blockade is given may not be searched. If, once stamped, the notified vessel should place herself or attempt to place herself within the belt of the blockade, or, placed within, should attempt to reach the blockaded port, or communicate with the hostile shore, you will make prize of her and all her cargo; from which it follows, that when once the existence of the blockade is made known to any neutral, you will capture any of them that attempts to violate it.

14. Notified, as Chili already is, of the declaration of war, you can capture all vessels of the republic either of war or trade, and all enemies' property which may be found along shore. Although it may be found outside the line of blockade, and although they may not attempt to break that, such portion of their cargoes as may be neutral, if not composed of contraband of war, will be free.

15. If by arrival under stress, either by bad weather, lack of provisions, &c., a neutral vessel should seek to enter the blockaded ports, you will allow it, if there be previous proof of stress which compelled her to do so. But if such vessel carry contraband of war, you must cause her to deposit that in the vessel of your command and another maintaining the blockade, or if her captain prefers, by binding him in writing, to keep it on board until his departure; in such case, you will see to it that the proper document be explicit as possible.

16. As it follows from the foregoing articles that you will have to exercise right of search, I pass on to give you a perception of the manner of carrying it out, so that the difficulties of such a right may not be increased, for although the law of war admits its exercise in all places, I caution you decidedly not to exercise it unless in places and circumstances which give reason to believe that by its exercise the result will be the confiscation of the vessel searched. The manner in which you should proceed is the following:

1. As soon as you think of searching a merchant vessel, you will hoist the national flag, firing a gun, not shotted, on which signal the merchant ship should heave to and await the examination, and hoist her flag; if she does not, it is your duty to act as circumstances require until she does.

2. If the merchantman comes to at once and hoists her flag, you will keep such distance from her as you find convenient, according to the state of wind and sea, and other circum-

stances not possible to be foreseen, including always the safety of the vessel you may send to examine her. There are treatises on maritime law which say—and the instructions given by the French minister of marine in 1854 to the admirals and commanders of her ships of war notice the same—that you should keep the inquiring vessel out of cannon shot of the vessel examined; but the treatises of the time, such as those of Ortolan and Negrin, with reason, contest this doctrine, because under such circumstances the best guide is the practical sense of the commander of the investigator; so, therefore, while recommending to you on this point the greatest prudence, so as to combine in the act in question moderation with the succor which the boat may need that goes to make the examination, you can thus manœuvre in observance of what is set out with in the beginning of this paragraph; because here is also the circumstance, that the principle established is also settled for cases like that treated of in the convention made 16th May, 1832, between the republic of the United States and that of Chili, and also as is believed in other later stipulations.

3. As soon as the merchant vessel heaves to, you will send a boat commanded by an officer. He, accompanied by two or three men, will board the vessel and proceed to verify her nationality, the description of the vessel, and her cargo, and whether or not engaged in lawful commerce—that is to say, whether she carries any contraband of war. To this end the officer will require of the captain to present the crew list, the bill of health from the port of departure, from which documents the nationality or ownership and legitimacy of her voyage may be deduced. If from the said examination it result that the vessel visited is neutral, and is going also to a neutral port, the visit is at an end, and the officer should leave the vessel at liberty without looking into the nature of her cargo, stating the fact on her papers. If the aforesaid vessel is bound for a hostile port, then the officer, besides examining said papers, must proceed to call upon the captain for those which show the nature of the cargo, and if it result from them that there is nothing contraband of war on board, the visit is at an end, the vessel at liberty, the annotation before mentioned also being made; but if from these documents it shall appear that contraband of war exists on board, you will proceed to the capture of the vessel, still bearing in mind that even in this case you cannot proceed to open the hatches, closets or chests for the purpose of seeing if there are other papers or suspicious merchandise.

4. It is well understood that what is inculcated in the paragraphs of this article in no way changes what I have pointed out to you, and what is already anticipated in respect of the blockade that may be kept up.

5. You must keep in mind that if fortuitous circumstances detach you from the blockade, and you go to the coast of a neutral country, the law of visit ceases in the territorial waters of the neutral country; and I have already warned you in article 10 that the extension of those waters is limited by the longest range of cannon shot of the vessels of this squadron—that is to say, within that range you cannot exercise the right of search.

6. I must repeat to you here what I cautioned you about in the last sentence of article 7: that it is of the greatest importance that the examination of the ship's papers be made, because this documentation must be the basis on which must be founded the validity or invalidity of the capture.

17. If, in consequence of the visit, the vessel should be captured, the officer will retain all the papers, giving a receipt for them to the captain, and will cause him to get her under sail so as to approach the visiting vessel, which will then return to her beat. As soon as the vessel visited closes up you will put a crew on board, and notify the officer in whose charge she may be to remain, and proceed to make inventory of everything she contains, sealing up her hatches as soon as that is completed.

18. You will keep on board the captured vessel, whether merchant or corsair, the individuals of her crew, but both women and children, and generally all persons who do not belong to the Chilian army or navy, nor have any connexion with either arm, may be landed at the first port at which the vessel may touch after being taken. The prize being of war, you will observe the caution already given you, and if you think proper may transfer part of her complement of men and until taking her into the port you may deem convenient, but you must exact a promise in writing that they shall not constitute part of that of other vessels-of-war or hostile cruisers.

19. That you may have no doubt about articles considered contraband of war, besides vessels under circumstances noted in article 6, and in continuation of articles mentioned, are cannon, mortars, fusiles, and every kind of arms, as well as all sorts of projectiles, gun-carriages, quick-matches, fulminating and fuze, caps, matches, powder, saltpetre, sulphur fittings for military clothing, saddles and bridles, and accoutrements, campaign tents, and generally all instruments and objects manufactured for war.

20. You will not oppose the entry and departure of neutral vessels-of-war at the port you may be blockading.

Additional article: For exact understanding of article 12 of these instructions you must bear in mind that the concession made in it that neutral vessels may depart from the ports of Chili "*with a cargo shipped before the blockade*" is on the understanding that the departure take place within the term fixed upon by the general of this squadron, and not after the expiration of that term.

JOSÉ MANUEL PAREJA.

Mr. Seward to Mr. Tassara.

DEPARTMENT OF STATE,
Washington, November 16, 1865.

SIR: On the 9th of June last, your excellency, then being in the city of New York, had the goodness to address to Mr. William Hunter, then Acting Secretary of State of the United States, a very kind note, in which you informed him, in the name of her Most Catholic Majesty's government, that the news which had been then lately received of the assassination of the late President, and an attack upon the person of the Secretary of State, had excited a profound sense of horror and indignationon the part of the Crown, the representatives, and the people of Spain.

Your note was accompanied by a copy of a communication which had been addressed to yourself by her Catholic Majesty's secretary of state, together with a copy of two resolutions, relating to the painful subjects before mentioned, which resolutions had been unanimously adopted by the Cortes. Subsequently to the receipt of your communication at this department, your excellency had the goodness to ask a personal audience of the President, and in the audience thereupon granted you were pleased to give an eloquent oral expression to the same just, honorable, and generous sentiments which were expressed in the communications to which I have before referred. These proceedings on the part of her Catholic Majesty's government and the people of Spain deserve an immediate written acknowledgment on the part of the President of the United States and the American people. I was charged with the duty of making those acknowledgments. I beg you therefore to convey to your government an assurance that the President received the communications referred to with sentiments of the most profound gratitude and sincere appreciation. They have served to awaken on the part of the American people, affections which, in the earliest stage of their existence, induced on their part an especial attachment to Spain. I am sure they will serve to invigorate a friendship between the two nations, which no minister has ever more assiduously cultivated than your excellency.

The papers which I now acknowledge will be deposited in the national archives, and will on the assembling of Congress be submitted to the legislature.

I pray your excellency to have the goodness to make known to your government the personal circumstances, well understood by yourself, which, to the President's sincere regret, have so long delayed this communication.

I avail myself of this occasion to offer to your excellency a renewed assurance of my most distinguished consideration.

WILLIAM H. SEWARD.

Señor Don GABRIEL GARCIA Y. TASSARA, *&c., &c., &c.*,
Washington.

Mr. Seward to Mr. Tassara

DEPARTMENT OF STATE,,
Washington, November 21, 1865.

The undersigned, Secretary of State of the United States, has the honor to acknowledge the receipt of the note addressed to him on the 15th instant by Mr. Tassara, envoy extraordinary and minister plenipotentiary of her Catholic Majesty, and to state that the same has been submitted to the President of the United States.

The note announces that in consequence of the declaration of war against Spain by the government of Chili, General Pareja, the commanding general of

Spanish squadron in the Pacific, acting under instructions, had declared the ports of Chili blockaded from the 24th of September last.

War having actually begun between the two sovereign states, doubtless with a due conviction of the solemnity and importance of the transaction entertained by both of them, a discussion by the government of the United States of the merits of the controversy would not be compatible with the respect which it entertains for these two friendly nations. Nevertheless, the undersigned trusts that each of them will allow the United States to say, with the utmost kindness and respect, that the war ought to have been averted, since the issue joined involves nothing more than the question whether one of the parties ought to pay to the other the courtesy of an artillery salute. The United States cannot but hope that the war, since it involves no other issue than this, will, through the good sense and friendly spirit of both countries, be brought to a speedy and harmless end.

It seems to remain to say, on this occasion, only that while the war shall last, the government of the United States will observe the neutrality which is enjoined by its own municipal law, and by the law of nations. No armed vessel of either party will be allowed to bring their prizes into the ports of the United States.

The undersigned offers to Mr. Tassara renewed assurances of his highest consideration.

WILLIAM H. SEWARD.

Señor Don GABRIEL GARCIA Y. TASSARA, *&c., &c., &c.*,
Washington.

Mr. Tassara to Mr. Seward.

[Translation.]

LEGATION OF SPAIN AT WASHINGTON,
Washington, November 22, 1865.

SIR: The undersigned, minister plenipotentiary of her Catholic Majesty, has had the honor of receiving the honorable Secretary's note of the 21st, in reply to his of the 15th, on Chilian affairs, and will transmit it to his government, whose prudent deliberation on the cause that led to the rupture, to its great regret, is well known to the United States.

The undersigned embraces this occasion to offer to the honorable Secretary the assurances of his high consideration.

GABRIEL G. TASSARA.

The Hon. SECRETARY OF STATE
of the United States, &c., &c., &c.